

**UNITED STATES COURT OF APPEALS  
FOR THE FIFTH CIRCUIT**

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**No. 99-11249**

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**CHESTER COX, JR.; D. CLARK; PAULINE CLARK;  
STEVE MURPHY; ROBYN MURPHY; ET AL.,**

**Plaintiffs - Appellants,**

**versus**

**CITY OF WICHITA FALLS, TEXAS, a Texas Incorporated  
Municipality; UNITED STATES OF AMERICA; UNITED STATES  
DEPARTMENT OF DEFENSE; WILLIAM PERRY,  
in his Official Capacity as Secretary of the Department of Defense;  
U.S. DEPARTMENT OF THE AIR FORCE; F. WHITTEN PETERS,  
in her Official Capacity as Secretary of the Department  
of the Air Force; SHEPPARD AIR FORCE BASE;  
MICHAEL ZETTLER, General, in his Official Capacity  
as Base Commander of Sheppard Air Force Base,**

**Defendants - Appellees.**

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**Appeal from the United States District Court  
for the Northern District of Texas  
(7:96-CV-145)**

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**April 9, 2001**

Before GARWOOD, HALL,<sup>1</sup> and BARKSDALE, Circuit Judges.

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<sup>1</sup>Circuit Judge of the Ninth Circuit, sitting by designation.

PER CURIAM:<sup>2</sup>

**AFFIRMED.** See 5<sup>TH</sup> Cir. R. 47.6.

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<sup>2</sup>Pursuant to 5<sup>TH</sup> CIR. R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5<sup>TH</sup> CIR. R. 47.5.4.