

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

m 99-41471

TERRY MITCHELL,

Plaintiff-Appellant,

VERSUS

UNION PACIFIC RAILROAD COMPANY,

Defendant-Appellee.

Appeal from the United States District Court
for the Eastern District of Texas
(Dist. Ct. No. 2:98-CV-129-DF)

December 11, 2000

Before POLITZ, SMITH, and PARKER,
Circuit Judges.

PER CURIAM:*

In this FELA case, the plaintiff employee

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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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

asserts injury resulting from the employer's negligence. The district court found the action time-barred and entered summary judgment.

We have reviewed the briefs and applicable law and pertinent portions of the record and have heard the arguments of counsel. The district court properly applied the statute of limitations.

AFFIRMED.