

December 30, 2004

Charles R. Fulbruge III
Clerk

IN THE UNITED STATES COURT OF APPEALS

FOR THE FIFTH CIRCUIT

No. 04-30672
Summary Calendar

KATHERINE TONNAS,

Plaintiff-Appellant,

v.

STONEBRIDGE LIFE INSURANCE COMPANY,
formerly known as J.C. Penney Life
Insurance Company,

Defendant — Third-Party Plaintiff — Appellee,

v.

KYM ADAMS WRIGHT; CHERYL ANN ADAMS;
SHEILA ADAMS SANDERS; GASKIN-SOUTHALL &
ASSOCIATES, INC.,

Third-Party Defendants — Appellees

Appeal from the United States District Court
for the Eastern District of Louisiana
(02-CV-2453-L)

Before WIENER, BENAVIDES, and DENNIS, Circuit Judges.

PER CURIAM:*

We have reviewed the summary judgment record in this lawsuit and have studied the appellate briefs of the parties as well. As to plaintiff-appellant Katherine Tonnas's first argument — that

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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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

the evidence that she submitted to the district court creates a genuine issue of material fact as to the life insurance policy's beneficiary — we are satisfied that the district court's grant of summary judgment, grounded in the reasons patiently, fully, and correctly set forth in its order dated May 20, 2004, should be affirmed.

As to Tonnas's second argument concerning the district court's disbursement of the policy proceeds, she has waived it. She challenges the disbursement for the first time on this appeal. Those issues not raised before the district court are waived on appeal.¹

AFFIRMED.

¹ In re Fairchild Aircraft Corp., 6 F.3d 1119, 1128 (5th Cir. 1993) ("In short, the argument must be raised to such a degree that the trial court may rule on it The argument here was not even identified by name, much less advocated.").