

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

United States Court of Appeals  
Fifth Circuit

**FILED**

March 22, 2012

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No. 11-30632  
\_\_\_\_\_

Lyle W. Cayce  
Clerk

FRANKS INVESTMENT COMPANY L.L.C.,

Plaintiff - Appellant

v.

UNION PACIFIC RAILROAD COMPANY,

Defendant - Appellee.

\_\_\_\_\_  
Appeal from the United States District Court  
for the Western District of Louisiana  
USDC No. 5:08-CV-97  
\_\_\_\_\_

Before REAVLEY, ELROD, and HAYNES, Circuit Judges.

PER CURIAM:\*

Having reviewed the briefs, considered the pertinent portions of the record, and heard oral arguments, we conclude that Franks Investment Company, L.L.C., has not demonstrated any error warranting reversal. The judgment of the district court is **AFFIRMED**.

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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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