

UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 00-60029
SUMMARY CALENDAR

SCOTT THOMAS, ET AL,
Plaintiffs,

SCOTT THOMAS,
Plaintiff-Appellant,

v.

S & C ELECTRIC COMPANY; ET AL,

Defendants,

UNITED STATES OF AMERICA,
Defendant-Appellee.

On Appeal from the United States District Court
for the Southern District of Mississippi,
Southern Division
(1:98-CV-137-BrR)

January 17, 2001

Before REYNALDO G. GARZA, BARKSDALE, AND STEWART, Circuit Judges.

PER CURIAM:¹

Scott Thomas ("appellant") asserted a negligence claim against the United States ("appellee") under the Federal Tort Claims Act ("FTCA"). 28 U.S.C. § 1346(b). Appellant's claim is based on injuries he suffered on April 12, 1995 when he was burned while inspecting an electrical switch gear unit located at

¹Pursuant to 5th Cir. R. 47.5, the Court has determined that this opinion should not be published and is not precedent except under the limited circumstances described in 5th Cir. R. 47.5.4.

NASA's John C. Stennis Space Center ("SSC") in Hancock County, Mississippi. Appellant alleges that his injuries were caused, in part, by NASA's failure to provide a safe workplace and failure to properly operate and maintain the SSC's electrical distribution system. At the district court, the case was tried to the bench and, at the close of the plaintiff's case, the court granted appellee's motion for judgment of dismissal under Fed. R. Civ. P. 52(c). The district court prepared written findings of fact and conclusions of law and made them part of the record in this case. Having reviewed the record and the briefs, we agree that judgment as a matter of law was appropriate in this case and AFFIRM based on the district court opinion which is attached hereto as appendix A.