

UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 01-60283
Summary Calendar

BILLY WAYNE COUCH, SR.; ET AL.,

Plaintiffs,

BILLY WAYNE COUCH, SR.,

Plaintiff-Appellant,

versus

SUNSTAR ACCEPTANCE CORPORATION; ET AL.,

Defendants,

SUNSTAR ACCEPTANCE CORPORATION,

Defendant-Appellee.

Appeal from the United States District Court
for the Southern District of Mississippi
(3:99-CV-788-LN)

August 20, 2001

Before HIGGINBOTHAM, WIENER, and BARKSDALE, Circuit Judges.

PER CURIAM:*

Billy Wayne Couch appeals the partial summary judgment dismissing his credit defamation claim against Sunstar Acceptance Corporation, his remaining claims having been dismissed without

*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.

prejudice pending the outcome of this appeal. Couch contends summary judgment is inappropriate because he presented evidence that Sunstar reported false information to credit reporting agencies. The credit reports to which Couch refers, however, do not support his contention. They reflect: *as of May 1997*, there was a balance due on his "charged off account" with Sunstar; and, *as of that July*, after he and Sunstar reached a settlement, the balance due was zero, with the notation "paid charge off".

Accordingly, we agree with the district court's conclusion that there is no evidence to support Couch's contention that Sunstar reported inaccurate information to credit agencies. Therefore, essentially for the reasons stated by the district court, ***Couch v. Sunstar Acceptance Corp.***, No. 3:99CV788LN (S.D. Miss. 27 Nov. 2000) (unpublished), the partial summary judgment is

AFFIRMED.