

IN THE UNITED STATES COURT OF APPEALS  
FOR THE FIFTH CIRCUIT

---

No. 02-10895  
Summary Calendar

---

HARRY B. LUCAS CO.,

Plaintiff-Appellant,

versus

GRAND DALLAS WAREHOUSE LLC,

Defendant-Appellee.

-----  
Appeal from the United States District Court  
for the Northern District of Texas  
USDC No. 3:01-CV-938-M

-----  
January 28, 2003

Before BARKSDALE, DEMOSS, and BENAVIDES, Circuit Judges.

PER CURIAM:\*

Harry B. Lucas Company, the plaintiff-appellant, appeals from a summary judgment in favor of Grand Dallas Warehouse LLC, defendant-appellee. Appellant makes various claims attacking the judgment of the district court, which held that because the defendant did not specifically assume the commission agreement at issue as required by the Texas Real Estate License Act, plaintiff could not continue to recover his commission. Appellant also attacks the district court's finding that the defendant is not liable under a theory of equitable estoppel.

---

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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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

Our review of the record, the applicable law and the issues raised on appeal lead us to the inescapable conclusion that the district court correctly interpreted the Texas Real Estate License Act, correctly granted summary judgment for the defendant and denied plaintiff relief. The judgment of the district court is affirmed for the reasons stated by District Judge Barbara M. G. Lynn in the order dated July 9, 2002 and the order denying motion for reconsideration dated August 5, 2002.

**AFFIRMED**