

In the United States Court of Appeals

For the Fifth Circuit

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m 02-20207

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ROBERT A. NALLIE AND JUDY NALLIE,

Plaintiffs-Appellants,

VERSUS

CHEMICAL LEAMAN TANK LINES, INC., ET AL.,

Defendants,

SUNOCO, INC (R&M),

Defendant-Appellee.

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Appeal from the United States District Court  
for the Southern District of Texas  
m H-99-CV-2202

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December 10, 2002

Before SMITH, BARKSDALE, and  
EMILIO M. GARZA, Circuit Judges.

PER CURIAM:\*

The plaintiffs sue for injuries sustained in an accident at defendant's plant, claiming a premises defect. The district court found no issues of material fact and granted defendants' motion for summary judgment.

We have read the briefs and have heard the arguments of counsel, and have consulted pertinent portions of the record. This is a case of no duty to the plaintiffs. On the basis of applicable caselaw and the summary judgment record, we affirm, essentially for the reasons given by the district court.

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\* Pursuant to 5<sup>TH</sup> 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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5<sup>TH</sup> CIR. R. 47.5.4.