

FILED

April 3, 2003

Charles R. Fulbruge III
Clerk

UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 02-20762

GEORGIA VILANDOS,

Plaintiff-Appellant,

versus

SAM'S CLUB WAL-MART STORES, INC.

Defendant-Appellee.

Appeal from the United States District Court
for the Southern District of Texas
(H-01-CV-2001)

Before BARKSDALE, DeMOSS, and BENAVIDES, Circuit Judges.

PER CURIAM:*

For this diversity action, Georgia Vilandos appeals the summary judgment awarded Sam's Club on her claims of false imprisonment and intentional infliction of emotional distress.

A summary judgment, reviewed *de novo*, is appropriate if there is no genuine issue of material fact and the movant is entitled to a judgment as a matter of law. *E.g.*, *Thomas Barton Lodge II, Ltd.*, 174 F.3d 636, 644 (5th Cir. 1999); FED. R. CIV. P. 56(c). The record and inferences based on it are viewed in the light most

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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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

favorable to the non-movant. *E.g.*, ***Morris v. Covan Worldwide Moving, Inc.***, 144 F.3d 377, 380 (5th Cir. 1998).

Having reviewed the briefs and the pertinent parts of the record, the judgment is affirmed for essentially the reasons stated by the district court.

AFFIRMED