

**UNITED STATES COURT OF APPEALS
FIFTH CIRCUIT**

No. 02-30071

(Summary Calendar)

FLORETTA SNOW-SORAPURU,

Plaintiff - Appellant,

versus

GREYHOUND LINES INC., and (Its Insurer); UNIDENTIFIED
PARTY,

Defendants - Appellees.

Appeal from the United States District Court
For the Eastern District of Louisiana
No. 00-CV-3553-F

October 28, 2002

Before DAVIS, WIENER, and EMILIO M. GARZA, Circuit Judges.

PER CURIAM:*

Plaintiff Floretta Snow-Sorapuru appeals the district court's dismissal of her personal injury suit against defendant Greyhound Lines, Inc. under Rule 52(c) of the Federal Rules of Civil

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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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

Procedure. Snow-Sorapuru contends that the district court, applying Louisiana law in this diversity action, erred in finding that her failure to look where she was sitting was the sole cause of her alleged injury from a broken armrest on one of the defendant's buses. Where a district court has entered judgment after hearing all the evidence on a crucial issue of fact pursuant to Rule 52(c), its findings of fact are reviewed only for clear error while its conclusions of law are reviewed *de novo*. See *Samson v. Apollo Res., Inc.*, 242 F.3d 629, 632-33 (5th Cir. 2001). The only evidence presented on the issue of causation was the testimony of the plaintiff, who stated that she sat down without looking. Because the district court's findings were not clearly erroneous, we affirm. See *Ryland v. Liberty Lloyd's Ins. Co.*, 630 So.2d 1289, 1302 (La. 1994) ("Negligence is only actionable where it is both a cause in fact and a legal cause of the injury."); *Johnson v. Lull Enters., Inc.*, 663 So.2d 403, 409 (La. Ct. App. 1995) ("Even in a case where some negligence exists, without causation no liability is created and the negligence is not actionable.").

AFFIRMED.