

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 02-30570
Summary Calendar

GISCLAIR TOWING COMPANY, INC.,

Plaintiff-Counter Claimant-
Appellee-Cross-Appellant,

versus

MICHAEL MIRE,

Defendant-Counter Claimant-
Appellant-Cross-Appellee.

Appeals from the United States District Court
for the Eastern District of Louisiana
USDC No. 99-2347

February 18, 2003

Before BARKSDALE, DEMOSS, and BENAVIDES, Circuit Judges.

PER CURIAM:¹

Appellant, claiming to have been injured at sea during an accident, presents a variety of arguments asserting that the judgment of the district court should be reversed. After the conclusion of a bench trial, the district court found, *inter alia*, that

- (i) the evidence showed that appellant did not have an accident;

¹ 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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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.

- (ii) even if an accident occurred, there is no evidence, besides the testimony of appellant (whom the district court deemed non-credible) that the steps that allegedly caused the accident were unreasonably slippery; and
- (iii) even if appellant had an accident, the damages that were identified were sustained by incidents occurring and diagnosed years prior to the alleged accident.

Appellant provides no persuasive argument that the district court's findings of fact were clearly erroneous and, therefore, those findings must stand. *See United States v. Chavez*, 281 F.3d 479, 483 (5th Cir. 2002) (holding that a district court's factual findings are reviewed for clear error).

These findings are dispositive of this appeal and render moot and irrelevant appellant Mire's other attacks on the judgment of the district court.

Accordingly, the judgment of the district court is **AFFIRMED**.