**UNITED STATES COURT OF APPEALS**
**For the Fifth Circuit**

No. 02-40437
Summary Calendar

MARIA TERESA GARZA, individually and as next friend of Jonathan Lee
Garza, Eulalio Garza IV, Christopher Eli Garza, and Cinthia
Michelle Garza, Minors and as Representative of the Estate of
Eulalio Garza III, deceased,

Plaintiff - Appellant,

VERSUS

STATE FARM MUTUAL AUTOMOBILE INSURANCE COMPANY; et al.,

Defendants

STATE FARM MUTUAL AUTOMOBILE INSURANCE COMPANY,

Defendant - Appellee.

Appeal from the United States District Court
For the Southern District of Texas, Corpus Christi.

(C-01-CV-76)

October 30, 2002

Before BARKSDALE, DeMOSS, and BENAVIDES, Circuit Judges,

PER CURIAM:[*]

   Maria Teresa Garza, et al., (Plaintiffs) are the surviving

spouse and minor children of Eulalio Garza, III, who was killed in

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   [*]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opinion should not be published and is not precedent except under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.

an automobile/train accident while riding in a vehicle owned by his employer, Country Shop Nursery, and driven by uninsured fellow-employee, Felipe Rodriguez.  Plaintiffs filed suit against State Farm Automobile Insurance Co. (State Farm) for breach of contract and violation of Article 21.55 of the Texas Insurance Code because State Farm has denied them uninsured motorist coverage under an automobile insurance policy purchased by Garza's employer from State Farm.  The district court had jurisdiction because of diversity of citizenship.

The parties waived trial by jury and the case was tried to the court.  The district court found for defendant State Farm on all claims and entered a final judgment that plaintiffs take nothing. Plaintiffs appealed to this court.

We have carefully reviewed the briefs, the record excerpts, and relevant portions of the record, and for the reasons stated by the district court in its "Verdict of the Court" filed February 15, 2002, we AFFIRM the final judgment entered on the same date, that plaintiffs take nothing.  AFFIRMED.