

July 8, 2003

UNITED STATES COURT OF APPEALS

For the Fifth Circuit

Charles R. Fulbruge III
Clerk

No. 03-10077
Summary Calendar

CENTURY SALES INC,

Plaintiff - Counter Defendant - Appellant,

VERSUS

JUPITER ALUMINUM INC

Defendant - Cross Claimant - Appellee.

Appeal from the United States District Court
For the Northern District of Texas, Fort Worth
(4:02-CV-607-A)

Before BARKSDALE, DeMOSS, and BENAVIDES, Circuit Judges.

PER CURIAM:*

Century Sales Inc (hereinafter "Century") filed suit in Texas state court against Jupiter Aluminum Inc (hereinafter "Jupiter") seeking recovery of sums which Century claimed were due and owing to it as commissions under a sales agreement between the two. Jupiter removed the case to federal district court on the grounds

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 R. 47.5, the Court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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

of diversity of citizenship and filed an answer and counter-claim against Century. Later, Jupiter filed a motion for summary judgment against Century on all claims asserted by Century against Jupiter and for summary judgment on Jupiter's counter-claim. The district court granted summary judgment in Jupiter's favor on both aspects. Century appeals.

We have carefully reviewed the briefs, the reply brief, the record excerpts, and relevant portions of the record itself. For the reasons stated by the district court in its memorandum opinion and order filed on December 20, 2002, we affirm the final judgment entered by the district court contemporaneously therewith. AFFIRMED.