

UNITED STATES COURT OF APPEALS  
For the Fifth Circuit

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No. 92-5074  
Summary Calendar

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CURTIS RAY COLEMAN & KATIE COLEMAN,  
Plaintiffs, Intervenor-Defendants, Appellees,

VERSUS

HELMERICH & PAYNE INTERNATIONAL  
DRILLING CO., ET AL.,

Intervenor-Plaintiffs-Appellees,

VERSUS

ARCO OIL & GAS CO., ET AL.,

Defendants,

ARCO OIL & GAS CO.,

Defendant-Appellant.

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Appeal from the United States District Court  
For the Western District of Louisiana

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88-3150

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June 28, 1993

Before HIGGINBOTHAM, SMITH, and DeMOSS, Circuit Judges.

PER CURIAM:\*

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\* Local Rule 47.5 provides: "The publication of opinions that have no precedential value and merely decide particular cases on the basis of well-settled principles of law imposes needless expense on the public and burdens on the legal profession." Pursuant to that Rule, the Court has determined that this opinion should not be published.

By this appeal, Arco Oil & Gas Co. (Arco) seeks reversal of a judgment entered against it in favor of Curtis Ray Coleman and Katie Coleman, based upon a jury finding that the injuries sustained by Curtis Ray Coleman were the result of "ruin," within the meaning of Article 2322 of the Louisiana Civil Code, in the condition of a winch wheel on an offshore drilling platform owned by Arco. At the close of the plaintiffs' evidence, at the close of all the evidence, and after entry of judgment, Arco moved for judgment as a matter of law for the reason that under the facts of this case, the evidence was not sufficient to support the jury's finding of "ruin." The district court overruled all such motions; and Arco now appeals to this Court on the sole ground of the sufficiency of the evidence.

Having carefully considered the briefs, the record excerpts, the reply brief, and relevant portions of the trial transcript, we have concluded that the evidence is such that reasonable minds could differ as to whether or not a condition of "ruin" caused the injuries to Mr. Coleman and that the district court was correct in submitting this case to the jury and in declining to render judgment as a matter of law for Arco, after the jury's verdict.

Accordingly, we AFFIRM the judgment of the trial court entered in this matter.