IN THE UNITED STATES COURT OF APPEALS

FOR THE FIFTH CIRCUIT

No. 92-7370
(Summary Calendar)

RUBY FOSTER,

Plaintiff-Appellant,

versus

GLOBE LIFE AND ACCIDENT
INSURANCE COMPANY,

Defendant-Appellee.

Appeal from the United States District Court
for the Northern District of Mississippi
(CA-GC90-274-D-O)

(December 11, 1992)

Before KING, DAVIS, and WIENER, Circuit Judges.

PER CURIAM*:

In this diversity case, Plaintiff-Appellant Ruby Foster appeals the grant of summary judgment by the district court in favor of Defendant-Appellee Globe Life and Accident Insurance Company (Globe Life). As there is no error in the findings or analysis of the district court, we affirm.

We review a district court's grant of summary judgment by

---

*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 Pursuant to that Rule, the Court has determined that this opinion should not be published.

"reviewing the record under the same standards which guided the district court."[1] A grant of summary judgment is proper when no issue of material fact exists that would necessitate a trial. We affirm a grant of summary judgment when "'we are convinced, after an independent review of the record, that "there is no genuine issue as to any material fact" and that the movant is "entitled to a judgment as a matter of law."'"[2] In determine whether the grant was proper, all fact questions are viewed in the light most favorable to the non-movant. Questions of law are reviewed de novo.[3]

After a thorough review of the record, we have determined that "no genuine issue of material fact has been properly raised by the appellant, and . . . no error of law appears."[4] The district court has set out a thorough and scholarly analysis of the facts and legal arguments in the instant case. Satisfied that we cannnot improve on the district court's opinion, and that any attempt to do so would merely be duplictive and thus a waste of limited judicial resources, we attach that opinion hereto and adopt it in toto.

AFFIRMED.

---

[1] Walker v. Sears, Roebuck & Co., 853 F.2d 355, 358 (5th Cir. 1988).

[2] Id. (quoting Brooks, Tarleton, Gilbert, Douglas & Kressler v. United States Fire Ins. Co., 832 F.2d 1358, 1364 (5th Cir. 1987)(quoting FED. R. CIV. P. 56(c))); see Celotex Corp. v. Catrett, 477 U.S. 317, 323-25 (1986).

[3] Walker, 853 F.2d at 358.

[4] 5TH CIR. LOC. R. 47.6.