

UNITED STATES COURT OF APPEALS
for the Fifth Circuit

No. 92-7626
Summary Calendar

FRANK M. DERAMUS and JODY H. DERAMUS,

Plaintiffs,

JODY H. DERAMUS,

Plaintiff-Appellant,

VERSUS

FIRST UNITED BANK, a Mississippi
Banking Corporation, ET AL.,

Defendants-Appellees.

Appeal from the United States District Court
for the Northern District of Mississippi
(CA EC88 334 S D)

May 13, 1993

Before KING, DAVIS and WIENER, Circuit Judges.

PER CURIAM:¹

Appellant, Jody Deramus, appeals the district court's order refusing to set aside a judgment entered two years earlier following a settlement of the pending litigation. Appellant contends in this court, as she did in district court, that the earlier judgment should be set aside because her attorney (who was

¹Local 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 Pursuant to that Rule, the Court has determined that this opinion should not be published.

also her husband and co-plaintiff) was ineffective. She contends that her attorney was severely ill with cancer and this prevented him from providing adequate representation.

The district court did not abuse its discretion in declining to set aside the judgment under Rule 60(b). Rule 60(b) is designed to authorize relief from a judgment only in the most extra-ordinary circumstances. For reasons assigned by the district court in its September 4, 1992 order, this is not such a case.