

IN THE UNITED STATES COURT OF APPEALS  
FOR THE FIFTH CIRCUIT

---

No. 92-8621

---

NATIONSBANK OF TEXAS, N.A.,

and

FEDERAL DEPOSIT INSURANCE CORPORATION,  
as Receiver of  
FIRST REPUBLICBANK DALLAS, N.A., and  
FDIC CORPORATION,

Plaintiffs-Appellees,

VERSUS

TRACY K. ELMS, et al.,

Defendants,

PEGGY JEAN WEBSTER WILSON,  
as Independent Executrix of  
the Estate of Kale Webster,

Defendants-Appellants.

---

Appeal from the United States District Court  
for the Western District of Texas  
(MO-91-CV-188)

---

(December 2, 1993)

Before VAN GRAAFEILAND,\* SMITH, and WIENER, Circuit Judges.

PER CURIAM:\*\*

---

\* Circuit Judge of the Second Circuit, sitting by designation.

\*\* Local Rule 47.5.1 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 Pursuant to that rule, the court has determined that this opinion should not be published.

Having reviewed the briefs, the record, and the arguments of counsel, we find no error in the district court's judgment on the guaranty, which survived the death of the guarantor. There is no reversible error in the manner of foreclosure. Attorneys' fees were appropriate. Accordingly, the judgment of the district court is AFFIRMED.