

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

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No. 93-3899
Summary Calendar
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CORRLIS SMITH LEBLANC,

Plaintiff-Appellant,

versus

MID-CONTINENT LIFE INSURANCE COMPANY
and EDGAR F. VEILLON, Individually
and as agent for Aetna Life Insurance
Company and Mid-Continent Life Insurance
Company,

Defendants-Appellees.

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Appeal from the United States District Court for the
Eastern District of Louisiana
(CA 93-2677 A (5))
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(April 8, 1994)

Before GARWOOD, SMITH and DeMOSS, Circuit Judges.*

PER CURIAM:

In this suit on a life insurance policy, where the insured died during the contestable period, the district court granted the motion for summary judgment of defendant-appellee insurance company

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 Pursuant to that Rule, the Court has determined that this opinion should not be published.

and denied that of plaintiff-appellant beneficiary. We review the grant of summary judgment *de novo*, not under the "clearly erroneous" rule. We observe that appellee's motion for summary judgment was adequately supported consistent with La. R.S. 22:619B and that appellant presented no summary judgment evidence tending to contradict the factual premises of appellee's motion. We conclude, essentially for the reasons given in the district court's well-considered "order and reasons" of December 16, 1993, that summary judgment was properly granted for appellee.

The judgment below is accordingly

AFFIRMED.