

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 93-5028
Summary Calendar

SARAH L. BOUDREAUX,

Plaintiff-Appellant,

versus

BETHANY COOPER, ET AL.,

Defendants-Appellees.

Appeal from the United States District Court for
the Western District of Louisiana
(91-CV-821)

(June 15, 1994)

Before REAVLEY, HIGGINBOTHAM and EMILIO M. GARZA, Circuit Judges.

PER CURIAM:*

The judgment of the district court is affirmed for the following reasons:

1. There is no Federal doctor-patient privilege. *United States v. Moore*, 970 F.2d 48, 50 (5th Cir. 1992).

2. No evidence in the record supports Boudreaux's argument that her medical records were altered.

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 Pursuant to that Rule, the Court has determined that this opinion should not be published.

3. Leading questions are ordinarily allowed on cross-examination, and Boudreaux failed to object at trial to opposing counsel's leading questions.

4. While Boudreaux raises a blanket objection regarding opposing counsel's misrepresentation of the evidence, she has failed to point to any specific fact that was misrepresented.

5. The testimony admitted by the trial court was not hearsay because it was offered not for its truth, but for the purpose of establishing probable cause.

6. Simply stating that the defendant entered the rest room with two jury members is insufficient to overcome the presumption of an impartial jury. *See United States v. Collins*, 972 F.2d 1385, 1403 (5th Cir. 1992), *cert. denied*, 113 S. Ct. 1812 (1993).

7. While Boudreaux appears to attack the jury verdict, she failed to move for judgment as a matter of law at the close of the evidence. Accordingly, our scope of review is limited to considering whether there was a manifest miscarriage of justice, which there was not.

AFFIRMED.