

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 93-5443

MELVIN J. RICHARD,

Plaintiff-Appellee,

v.

NORTH AMERICAN LIFE, North American Life
Assurance Company,

Defendant-Appellant.

Appeal from the United States District Court
for the Western District of Louisiana
(92-CV-1340)

(August 15, 1994)

Before KING, JOLLY, and STEWART, Circuit Judges.

PER CURIAM:*

At oral argument, the parties agreed that when and if our mandate issued in Richard v. Tidewater, Inc., No. 93-5545, this appeal and, indeed, this entire case would be moot. That mandate has issued, and accordingly we hereby dismiss this appeal as moot. The case is remanded to the district court with instructions to vacate the judgment.

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 Pursuant to that Rule, the court has determined that this opinion should not be published.

DISMISSED WITH INSTRUCTIONS.