

UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 93-8687
Summary Calendar

GOVERNMENT EMPLOYEES INSURANCE COMPANY,

Plaintiff-Appellee,

versus

LINWARD C. MCGINTY and
SHELLEY GATES, Individually and
as Next Friend to D. Gates, a Minor,

Defendants-Appellants.

Appeals from the United States District Court
for the Western District of Texas
(W-93-CA-178)

(September 30, 1994)

Before DAVIS, JONES, and DUHÉ, Circuit Judges.

PER CURIAM:*

Appellants are the plaintiff and defendant in a suit pending for sexual molestation of the plaintiff's son by the defendant. The district court held that the intentional injury exclusion of defendant's homeowners insurance policy relieved the insurance company, GEICO, of its duty to defend. The district

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 Pursuant to that Rule, the Court has determined that this opinion should not be published.

court correctly so held, based on Texas law and this court's recent, controlling authority. Commercial Union Ins. Co. v. Roberts, 7 F.3d 86 (5th Cir. 1993).

AFFIRMED.