

IN THE UNITED STATES COURT OF APPEALS

FOR THE FIFTH CIRCUIT

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No. 94-10233

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FEDERAL DEPOSIT INSURANCE CORPORATION in its corporate capacity as liquidator of the Central National Bank of San Angelo, San Angelo, Texas,

Plaintiff-Appellant,

versus

J. SUTTON ALLISON, ET AL.,

Defendants-Appellees.

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Appeal from the United States District Court for the Northern District of Texas (6:93-CV-059)

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(June 12, 1995)

Before WISDOM, GARWOOD and DAVIS, Circuit Judges.*

PER CURIAM:

On consideration of the briefs, argument of counsel, and record, this Court concludes that the present case is controlled in all respects material to this appeal by our recent decision in *RTC v. Acton*, 49 F.3d 1086 (5th Cir. 1995), and the judgment below is accordingly

AFFIRMED.

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 Pursuant to that Rule, the Court has determined that this opinion should not be published.