

IN THE UNITED STATES COURT OF APPEALS  
FOR THE FIFTH CIRCUIT

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No. 94-40002  
Summary Calendar

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BEULAH SAM LOUIS  
and  
AMERICAN MANUFACTURERS MUTUAL INSURANCE CO.,  
Plaintiffs-Appellants,  
VERSUS  
CARRIER CORP.,  
Defendant-Appellee.

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Appeals from the United States District Court  
for the Western District of Louisiana  
(6:92 CV 0876)

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(July 8, 1994)

Before GARWOOD, SMITH, and DeMOSS, Circuit Judges.

PER CURIAM:\*

This is a products liability action involving a fire that occurred at a residence. The homeowner and the insurance company that compensated the homeowner sued the manufacturer of an air conditioner, claiming that the unit had malfunctioned, causing the fire.

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\* Local Rule 47.5.1 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 Pursuant to that rule, the court has determined that this opinion should not be published.

The district court conducted a bench trial and found it "equally probable that the fire was caused by way of a kink in the service cord" rather than as a result of any defect in the air conditioner. Thus, the court concluded that the plaintiffs had not established by a preponderance of the evidence that the air conditioner's rectifier caused the fire.

On appeal, the plaintiffs challenge the weight the district court gave to the various items of evidence presented at trial. We will not second-guess the court's findings, however, as they are not clearly erroneous, and the finder of fact is in the best position to evaluate the evidence.

The judgment is AFFIRMED.