

UNITED STATES COURT OF APPEALS
For the Fifth Circuit

No. 95-30548
Summary Calendar

PERCY EUGENE PENTON,

Plaintiff-Appellant,

VERSUS

B E & K, INC.,

Defendant-Appellee.

Appeal from the United States District Court
For the Eastern District of Louisiana
(94-CV-232)

November 21, 1995

Before DAVIS, BARKSDALE and DeMOSS, Circuit Judges.

PER CURIAM:*

We have carefully reviewed the briefs, the record excerpts, the reply brief, and relevant portions of the record itself. For the reasons stated by the district court in its Order and Reasons filed under date of March 28, 1995, which granted the motion for a summary judgment of defendant, B E & K, Inc., the final 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 Pursuant to that Rule, the Court has determined that this opinion should not be published.

entered by the district court under date of May 2, 1995, is
AFFIRMED.