

UNITED STATES COURT OF APPEALS
For the Fifth Circuit

No. 95-30577
Summary Calendar

WALTER BOURG; DOROTHY BOURG,

Plaintiffs-Appellants,

VERSUS

CHEVRON CHEMICAL CO.,

Defendant-Appellee.

Appeal from the United States District Court
For the Eastern District of Louisiana

November 3, 1995

Before DAVIS, BARKSDALE and DeMOSS, Circuit Judges.

PER CURIAM:¹

Bourg was an employee of an independent contractor working on the fabrication of petroleum products storage tanks which were being installed at a refinery facility of Chevron Chemical. During the course of such work Bourg sustained an injury. On motion for summary judgment filed by Chevron Chemical, the district court

¹ 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 Pursuant to that Rule, the Court has determined that this opinion should not be published.

determined that the fabrication of petroleum storage tanks was part of the regular trade, business or occupation of Chevron and that Bourg was a statutory employee of Chevron. Accordingly, the district court granted summary judgment for Chevron Chemical and Bourg appeals.

We have carefully reviewed the briefs, the record excerpts and the evidence tendered on motion for summary judgment. We are satisfied that, for the reasons stated by the district court in its Order and Reasons filed under date of March 4, 1995, the summary judgment for Chevron Chemical was proper and correct.

AFFIRMED