

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 96-10079

ALAN NIEDERLITZ; PEGGY NIEDERLITZ,

Plaintiffs-Appellees,

v.

PRESTONWOOD GOLF CLUB CORP., Doing
Business as Prestonwood Country Club,

Defendant-Appellant.

Appeal from the United States District Court
for the Northern District of Texas
(3:94-CV-2395)

October 11, 1996

Before KING and HIGGINBOTHAM, Circuit Judges, and LAKE*,
District Judge.

PER CURIAM:**

The district court entered judgment against Prestonwood Golf Club Corp., defendant-appellant, following a jury verdict in favor of Alan Niederlitz and Peggy Niederlitz, plaintiffs-appellees, in their suit against Prestonwood for violations of the Fair Credit Reporting Act, 15 U.S.C. § 1681 et seq.

*District Judge of the Southern District of Texas, sitting by designation.

**Pursuant to Local Rule 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in Local Rule 47.5.4.

Prestonwood appeals, arguing that the jury instructions were flawed and that the evidence was insufficient to support the jury's finding of liability under the FCRA. We are not persuaded that the charge as a whole created substantial and ineradicable doubt as to whether the jury was properly guided in its deliberations. The district court did not err in failing to grant judgment as a matter of law for Prestonwood following the return of the verdict. The judgment of the district court is

AFFIRMED.