

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 96-30521
Summary Calendar

MICHAEL J. RILEY, SR., individually
and on behalf of the class,

Plaintiff-Appellant,

versus

TIG INSURANCE CO.; VALCO-USA CORP.,

Defendants-Appellees.

- - - - -
Appeal from the United States District Court
for the Eastern District of Louisiana
USDC No. 95-CV-2267
- - - - -

May 28, 1997

Before SMITH, DUHE' and BARKSDALE, Circuit Judges.

PER CURIAM:*

Michael J. Riley, Sr., appeals the district court's grant of summary judgment in favor of defendants. The record indicates that the mortgage debt exceeded the amount of loss, thus precluding recovery by Riley. See American General Fire & Casualty Co. v. Reese, 853 F.2d 370, 373 (5th Cir. 1988); Chrysler Credit Corp. v. Louisiana Ins. Guar. Ass'n, 514 So. 2d

* Pursuant to Local Rule 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in Local Rule 47.5.4.

245, 247 (La. Ct. App. 1987). As Riley has no continuing interest in the property, he would not benefit from any extinguishment of debt or additional repairs that might be made if additional sums were paid to the mortgagee. To the extent Riley claims reimbursement for prior expenses based upon his reliance interest in a policy of insurance, his claim is to no avail as the district court correctly held that he could not have reasonably relied upon the certificate of insurance when it explicitly referenced the master policy and when no document named Riley as an insured at the time of the loss. Furthermore, Riley failed to submit evidence to the district court regarding sums expended as a result of his reliance.

AFFIRMED.