

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 96-41101

In The Matter Of: LINDA FREEMAN,
Debtor.

LINDA FREEMAN,

Appellant,

versus

DOSOHS I, LIMITED,

Appellee.

Appeal from the United States District Court for the
Eastern District of Texas, Tyler
(6:96-CV-272)

August 19, 1997

Before JOLLY, SMITH, and DENNIS, Circuit Judges.

PER CURIAM:*

The bankruptcy court granted the creditor's motion for summary judgment on the grounds of res judicata, and the district court affirmed. After reviewing the record, studying the briefs, and considering the arguments presented to this court, we have concluded that the district court did not err in concluding that the debtor, Linda Freeman, failed to raise a genuine issue of

*Pursuant to 5TH CIR. R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR. R. 47.5.4.

material fact on the issue whether the \$80,000 note that was the subject of the agreed stipulation was an extension of the \$70,000 note involved in this appeal. Consequently, the § 4001 stipulation acted as res judicata in the subsequent bankruptcy proceeding.

The judgment of the district court granting the creditor's motion for summary judgment is therefore

A F F I R M E D.