

UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 98-31268
Summary Calendar

CECELIA BOUDREAUX,

Plaintiff-Appellee,

VERSUS

WAL-MART STORES, INC.,

Defendant-Appellant.

Appeal from the United States District Court
for the Eastern District of Louisiana
(97-CV-498-E)

July 15, 1999

Before DAVIS, DUHÉ and PARKER, Circuit Judges.

PER CURIAM:*

Wal-Mart Stores, Inc. appeals a jury verdict and judgment of \$82,493.09 for Plaintiff Cecelia Boudreaux in this personal injury case. We affirm.

Boudreaux tripped and fell over a pallet left in an aisle in the Wal-mart Store located in Harvey, Louisiana, injuring her back and wrist. The jury found that Wal-mart and Boudreaux were each fifty percent negligent in causing the accident and found that

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 R. 47.5, the Court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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

Boudreaux suffered \$164,986.17 in damages. The district court reduced the damage award to \$82,493.09, reflecting Boudreaux's comparative fault, and entered judgment.

Wal-Mart appeals, arguing that the evidence was not sufficient to support either liability or the damages awarded. We must affirm a jury verdict, unless reasonable and impartial minds could not have reached the conclusion the jury expressed in its verdict. See *Liberty Mut. Ins. Co. v. Falgoust*, 386 F.2d 248, 253 (5th Cir. 1967). After reviewing the record, we find that the jury's verdict as to both liability and damages is supported by the evidence.

AFFIRMED.