

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 01-30613
Summary Calendar

JOHN GARAFOLA,

Plaintiff-Appellant,

versus

PAUL REVERE LIFE INSURANCE COMPANY,

Defendant-Appellee.

Appeal from the United States District Court for
the Middle District of Louisiana
(USDC No. 98-CV-125)

December 14, 2001
Before REAVLEY, DAVIS and EMILIO M. GARZA, Circuit Judges.

PER CURIAM:*

Plaintiff-appellant John Garafola appeals the district court's judgment that he is not entitled to long-term disability benefits. As noted below, Garafola had ceased to work for his employer before he sought treatment for attention

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 R. 47.5, the Court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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

deficit/hyperactivity disorder. The termination date listed on Garafola's claim form and correspondence from his attorney bear this out. Although Garafola points to payroll records that indicate he was employed after he sought treatment, these documents are not in the record. Moreover, the benefit summary states that insurance automatically terminates if the employee "ceases full-time work." Even if it is accepted as true that Garafola consulted with his successor after he was formally terminated, he indisputably ceased full-time work before he was treated for attention deficit/hyperactivity disorder.

AFFIRMED.