

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 02-30033
Summary Calendar

PAMELA THOMAS,

Plaintiff-Appellant,

versus

CANADIAN LIFE INSURANCE CO. ET AL.,

Defendants,

CANADA LIFE ASSURANCE CO.,

Defendant-Appellee.

Appeal from the United States District Court
for the Western District of Louisiana
USDC No. 00-CV-1055

October 28, 2002

Before JONES, STEWART, and DENNIS, Circuit Judges

PER CURIAM:*

Pamela Thomas appeals the district court's grant of summary judgment in favor of the defendant, Canada Life Assurance Company (Canada Life), on her claim under the Employee Retirement Income Security Act of 1974. She asserts that Canada Life erred in denying her long-term disability benefits. We have reviewed the record and hold that Thomas has failed to show that Canada Life

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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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

abused its discretion in determining that she was not totally disabled under the plan. See Meditrust Fin. Servs. Corp. v. Sterling Chems., Inc., 168 F.3d 211, 214 (5th Cir. 1999). Consequently, the judgment of the district court is AFFIRMED. We also deny Canada Life's request for attorneys' fees incurred on appeal. See Iron Workers Local No. 272 v. Bowen, 624 F.2d 1255, 1266 (5th Cir. 1980).

AFFIRMED.