

**IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT**

United States Court of Appeals
Fifth Circuit

FILED

August 21, 2009

Charles R. Fulbruge III
Clerk

No. 08-61017

SUSAN GUIHER,

Plaintiff-Appellant,

versus

RON NEWCOMB,

Defendant-Appellee.

Appeal from the United States District Court
for the Southern District of Mississippi
No. 1:07-CV-691

Before REAVLEY, SMITH, and DENNIS, Circuit Judges.

PER CURIAM:*

Susan Guiher sued Ron Newcomb for tort damages resulting from a traffic accident. Federal jurisdiction is based on diversity of citizenship. The magis-

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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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

trate judge, sitting by consent as the district court, granted summary judgment for Newcomb, concluding that there is no genuine issue of material fact.

We have reviewed the briefs, the applicable law, and pertinent portions of the record. We agree with the district court that none of Guiher's theories can survive the motion for summary judgment. The judgment is AFFIRMED, essentially for the reasons carefully explained by the district court in its thorough opinion.