

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

United States Court of Appeals
Fifth Circuit

FILED

February 7, 2011

No. 10-10432

Lyle W. Cayce
Clerk

DAVID LEWIS BUILDERS, INCORPORATED,

Plaintiff - Appellant

v.

MID-CONTINENT CASUALTY COMPANY,

Defendant - Appellee

Appeal from the United States District Court
for the Northern District of Texas
USDC No. 4:09-cv-00218-A

Before JONES, Chief Judge, and DENNIS and CLEMENT, Circuit Judges.

PER CURIAM:*

AFFIRMED. *See* Fifth Circuit Local Rule 47.6.

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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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