

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

\_\_\_\_\_  
No. 17-10717  
\_\_\_\_\_

United States Court of Appeals  
Fifth Circuit

**FILED**

June 11, 2018

Lyle W. Cayce  
Clerk

MICHEL MULLEN; BJ 400XP INCORPORATED,

Plaintiffs - Appellants

v.

JPMORGAN CHASE BANK, N.A.; CHASE EQUIPMENT FINANCE  
INCORPORATED; CHASE EQUIPMENT LEASING INCORPORATED,

Defendants - Appellees

\_\_\_\_\_  
Appeal from the United States District Court  
for the Northern District of Texas  
USDC No. 3:16-CV-1525  
\_\_\_\_\_

Before JOLLY, JONES, and HAYNES, Circuit Judges.

PER CURIAM:\*

The court has carefully considered this appeal in light of the briefs, oral arguments and record. Having done so, we find no abuse of discretion nor misapplication of the factors underlying the district court's discretionary decision to dismiss this declaratory judgment action. *See St. Paul Ins. Co. v. Trejo*, 39 F.3d 585 (5th Cir. 1994); *Sherwin-Williams Co. v. Holmes County*, 343 F.3d 383, 390 (5th Cir. 2003) ("The Fifth Circuit uses the *Trejo* factors to

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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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

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guide a district court's exercise of discretion to accept or decline jurisdiction over a declaratory judgment suit."). **AFFIRMED.**