

[DO NOT PUBLISH]

IN THE UNITED STATES COURT OF APPEALS

FOR THE ELEVENTH CIRCUIT

No. 05-17138

FILED U.S. COURT OF APPEALS ELEVENTH CIRCUIT JAN 17, 2007 THOMAS K. KAHN CLERK

D. C. Docket No. 04-00365 CV-FTM-29DNF

JAMES BYROM,
MISSION UNITY, INC.,
a Florida not-for-profit corporation,

Plaintiffs-Appellants,

versus

CHARLOTTE COUNTY, FLORIDA,
a political subdivision of the State of Florida,

Defendant-Appellee.

Appeal from the United States District Court for the
Middle District of Florida

(January 17, 2007)

Before ANDERSON, MARCUS and HILL, Circuit Judges.

PER CURIAM:

After oral argument and careful consideration, we conclude that the

judgment of the district court is due to be affirmed for the reasons fully discussed at oral argument. With respect to appellants' argument concerning the district court's failure to give appellants' requested charge concerning community prejudice, we conclude that the charge given by the district court encompassed the requested charge, and that appellants have failed to persuade us that the jury misunderstood the law applicable to the case. We cannot conclude that the district court abused its discretion in denying appellants' motion for a new trial. Appellants' other arguments on appeal are rejected without need for further discussion.

Accordingly, the judgment of the district court is
AFFIRMED.