

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

No. 18-20097

United States Court of Appeals
Fifth Circuit

FILED

April 4, 2019

Lyle W. Cayce
Clerk

JUDITH DEEDS; DAVID DEEDS,

Plaintiffs–Appellants,

versus

WHIRLPOOL CORPORATION; SEARS ROEBUCK & COMPANY,

Defendants–Appellees.

Appeal from the United States District Court
for the Southern District of Texas
No. 4:15-CV-2208

Before KING, SMITH, and WILLETT, Circuit Judges.

PER CURIAM:*

Judith and David Deeds bought a refrigerator. Judith Deeds was injured

* 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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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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when she slipped and fell on a puddle of water that allegedly leaked from the appliance. The Deedses sued the seller/installer and the manufacturer, asserting products liability and other claims.

The district court granted the defendants' motion for summary judgment on the ground that the action was barred by Texas's two-year statute of limitations. Although suit was filed right before the two years elapsed, the district court found a lack of diligence in serving process. The court also reversed the decision of the magistrate judge granting leave to amend.

We have reviewed the record, the briefs, and the applicable law and have heard the helpful arguments of counsel. There is no reversible error. The judgment of dismissal is AFFIRMED.