

NOT RECOMMENDED FOR FULL-TEXT PUBLICATION

File Name: 08a0298n.06

Filed: May 28, 2008

Case No. 07-5615

**UNITED STATES COURT OF APPEALS
FOR THE SIXTH CIRCUIT**

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| IRENE BLAIR, |) | |
| |) | |
| Plaintiff-Appellant, |) | |
| |) | |
| v. |) | ON APPEAL FROM THE |
| |) | UNITED STATES DISTRICT |
| UNITED STATES OF AMERICA, |) | COURT FOR THE EASTERN |
| |) | DISTRICT OF KENTUCKY |
| Defendant-Appellee. |) | |
| |) | |
| |) | |
| _____ |) | |
| |) | |
| |) | |

BEFORE: BATCHELDER, MOORE, and McKEAGUE, Circuit Judges.

ALICE M. BATCHELDER, Circuit Judge. Plaintiff-Appellant Irene Blair appeals the district court’s grant of summary judgment in favor of the United States Army Corp of Engineers (“United States” or “COE”) on her premises liability claims brought pursuant to the Federal Tort Claims Act (“FTCA”). Blair alleged in her complaint that the United States was liable for injuries she sustained after she slipped in standing water in the federally-owned parking lot of the Carr Creek Marina. The district court granted summary judgment in favor of the United States because, under Kentucky law — the applicable law pursuant to the FTCA — the undisputed facts established that the standing water was an open-and-obvious hazard as a matter of law, and the COE did not have a duty to warn Blair of that condition or to protect her from it.

After carefully reviewing the record, the applicable law, the parties' briefs and counsels'

arguments, we conclude that the district court did not err in its conclusions. As the district court's opinions carefully and correctly set out the law governing the issues raised, and clearly articulate the reasons underlying its decisions, issuance of a full written opinion by this court would serve no useful purpose. Accordingly, for the reasons stated in the district court's opinions granting summary judgment and denying reconsideration, we **AFFIRM**.