

UNITED STATES COURT OF APPEALS  
FOR THE SIXTH CIRCUIT

No. 10-5114

JOSH HIMES; MARY HIMES,  
Plaintiffs - Appellants,

**FILED**  
**Jul 13, 2011**  
LEONARD GREEN, Clerk

v.

UNITED STATES OF AMERICA,  
Defendant - Appellee.

Before: COOK, McKEAGUE, and GRIFFIN, Circuit Judges.


**JUDGMENT**

On Appeal from the United States District Court  
for the Eastern District of Kentucky at Lexington.

THIS CAUSE was heard on the record from the district court and was argued by counsel.

IN CONSIDERATION WHEREOF, and for the reasons more fully set forth in the Court's opinion of even date, it is ORDERED that the district court's grant of summary judgment to defendant United States is AFFIRMED.

**ENTERED BY ORDER OF THE COURT**



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Leonard Green, Clerk