

[DO NOT PUBLISH]

IN THE UNITED STATES COURT OF APPEALS

FOR THE ELEVENTH CIRCUIT

No. 10-13561

FILED
U.S. COURT OF APPEALS
ELEVENTH CIRCUIT
SEPTEMBER 26, 2011
JOHN LEY
CLERK

D.C. Docket Nos. 5:09-cv-00045-LGW-JEG, 5:10-cv-00013-LGW-JEG

5:09-cv-00045

JAMES VICTOR PAULK,
TAMMY PAULK,

Plaintiffs - Appellants,

versus

CSX TRANSPORTATION, INC.,
a corporation,

Defendant - Appellee.

5:10-cv-00013

TAMMY PAULK,
JAMES VICTOR PAULK,

Plaintiffs - Appellants,

versus

CSX TRANSPORTATION, INC.
a corporation,

Defendant - Appellee.

Appeal from the United States District Court
for the Southern District of Georgia

(September 26, 2011)

Before TJOFLAT, CARNES, and ANDERSON, Circuit Judges.

PER CURIAM:

The judgment of the district court is affirmed on the basis of Pace v. CSX Transp., Inc., 613 F.3d 1066 (11th Cir. 2010), which was issued after the plaintiffs filed their notice of appeal. Any remedy for the plaintiffs must come from the Surface Transportation Board.¹

¹This case was removed from the oral argument calendar under the provisions of 11th Cir. R. 34-3(f).