

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 01-60321
Summary Calendar

SAM BOWERS; KATIE RENE PERRONE; MICHELLE O'HARA; JEFF
REXROAD; SHAWN RICHARD O'HARA,

Plaintiffs-Appellants,

versus

MIKE MOORE; STATE OF MISSISSIPPI, c/o Mike Moore,

Defendants-Appellees.

Appeal from the United States District Court
for the Southern District of Mississippi
USDC No. 2:00-CV-54-PG

February 6, 2002

Before DAVIS, BENAVIDES and STEWART, Circuit Judges.

PER CURIAM:*

Sam Bowers, Michelle O'Hara, Jeff Rexroad, and Shawn Richard O'Hara ("Appellants") appeal the district court's dismissal without prejudice of their 42 U.S.C. § 1983 complaint. The complaint was dismissed because 1) it was a mixed petition; 2) service of process was untimely; and 3) service of process by certified mail was insufficient.

Appellants challenge only the finding that service of process by certified mail was insufficient. However, Appellants have failed to brief the relevant issue, as they has provided

* 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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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.

neither argument nor authorities to show that the district court erred in dismissing their suit. See Yohey v. Collins, 985 F.2d 222, 225 (5th Cir. 1993); Fed. R. App. P. 28(a)(9). Accordingly, this appeal is dismissed as frivolous. 5TH CIR. R. 42.2.

Appellants have also filed a reply brief in which they moved this court to strike the brief filed by the Appellees. That motion to strike is DENIED.

APPEAL DISMISSED AS FRIVOLOUS. 5TH CIR. R. 42.2. MOTION TO STRIKE APPELLEES' BRIEF DENIED.