

February 2, 2006

Charles R. Fulbruge III  
Clerk

IN THE UNITED STATES COURT OF APPEALS  
FOR THE FIFTH CIRCUIT

---

No. 04-20810  
Summary Calendar

---

FLOYD THOMAS ROGERS, SR., and as next of kin, minors Rebekah Kwanita Rogers, Jonah Jarrad Rogers, and Joelle Jamal Jamal Rogers; DYKEBA LECOLE ROGERS, and as next of kin, minors Rebekah Kwanita Rogers, Jonah Jarrad Rogers, and Joelle Jamal Jamal Rogers,

Plaintiffs-Appellants,

versus

METROPOLITAN TRANSIT AUTHORITY; FIRST TRANSIT, INC.; MICHAEL JOSEPH, Safety Supervisor; AUTURO JACKSON, Manager of Metrolift Services; MARY ANN DENDOR, ADA Coordinator,

Defendants-Appellees.

-----  
Appeal from the United States District Court  
for the Southern District of Texas  
USDC No. 4:04-CV-2865  
-----

Before JOLLY, DAVIS, and OWEN, Circuit Judges.

PER CURIAM:\*

Floyd Thomas Rogers and his wife, Dykeba Lecole Rogers, filed the instant suit on behalf of themselves and their three minor children to seek redress for their alleged personal injuries as well as purported violations of their civil and constitutional rights. The district court dismissed the suit for

---

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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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

want of prosecution and denied their request to proceed in forma pauperis (IFP) on appeal. The appellants now move this court for authorization to proceed IFP on appeal.

The motion for authorization to proceed IFP is GRANTED. See Howard v. King, 707 F.2d 215, 220 (5th Cir. 1983); Carson v. Polley, 689 F.2d 562, 586 (5th Cir. 1982). Nevertheless, the appellants have not shown that the district court abused its discretion in dismissing their suit for want of prosecution. See Liteky v. United States, 510 U.S. 540, 554-55 (1994); Matassarini v. Lynch, 174 F.3d 549, 571 (5th Cir. 1999). Consequently, the judgment of the district court is AFFIRMED.