

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 96-31312

LARRY D. CROWE; SUE ELLEN
SILMAN CROWE, Administratrix,
on behalf of Reba Coody
Crowe Succession,

Plaintiffs-Appellants,

versus

JAMES W. SMITH, ET AL.,

Defendants,

DEUTSCH KERRIGAN & STILES;
JUDY L. BURNTHORN; WILLIAM WRIGHT;
JAMES BERRY; DAVID C. TREEN;
WILLIAM W. MESSERSMITH, III;
CHARLES K. REASONOVER; DAVID L.
CAMPBELL; CHARLES F. SEEMANN, JR.;
BERTRAND M. CASS, JR.; HARRY S.
ANDERSON; FRANCIS J. BARRY, JR.;
PATRICK J. BERRIGAN; ALLEN F.
CAMPBELL; MATT J. FARLEY; G. ALEX
WELLER; DANIEL A. SMITH; ETHEL H.
COHEN; TERRENCE L. BRENNAN;
MARC J. YELLIN; HOWARD L. MURPHY;
DARRELL K. CHERRY; RICHARD B.
MONTGOMERY; PAUL S. HUGHES;
NANCY J. MARSHALL; JAMES G. WILEY,
III; D. REX ENGLISH; ELLIS B.
MUROV; JOSEPH L. McREYNOLDS;
JOSEPH L. SPILMAN, III; DURIS L.
HOLMES; WILLIAM LEE KOHLER; ATTORNEYS
LIABILITY ASSURANCE SOCIETY, INC.,

Defendants-Appellees.

Appeal from the United States District Court for the
Western District of Louisiana, Monroe
(92-CV-2163)

April 10, 1998

Before GIBSON,* JOLLY, and EMILIO M. GARZA, Circuit Judges.

PER CURIAM:**

The only question before us in this appeal is whether the district court abused its discretion in dismissing this case with prejudice under Fed. R. Civ. P. 41(b). We have reviewed and considered fully the circumstances and context in which this judgment was entered, including the related matter of the Crowes' purported prior notice of voluntary dismissal under Fed. R. Civ. P. 41(a)(1). Additionally, we have had the benefit of full briefing and argument by counsel. We finally conclude that when all the circumstances and authorities have been considered, we cannot say that the district court abused its discretion. Accordingly, the judgment of the district court is

A F F I R M E D.

*Circuit Judge of the Eighth Circuit, sitting by designation.

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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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