

March 16, 2007

Charles R. Fulbruge III  
Clerk

UNITED STATES COURT OF APPEALS  
FOR THE FIFTH CIRCUIT

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No. 06-40736

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MARIE INEZ CRAVENS, Individually and on  
Behalf of the Estate of Abner  
Cravens, Deceased, and All Wrongful Death  
and Survival Action Beneficiaries;  
TONY CRAVENS; NATASHA CRAVENS; LORRETA CRAVENS,  
as Next Friend of L C, a Minor,

Plaintiffs-Appellants,

versus

CITY OF LAMARQUE, TEXAS,

Defendant-Appellee.

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On Appeal from the United States District Court  
for the Southern District of Texas, Galveston Division  
Docket No. 3:05-CV-545

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Before JONES, Chief Judge, and JOLLY and STEWART, Circuit Judges.

PER CURIAM:\*

The court has heard oral argument and reviewed the briefs and pertinent portions of the record. As the district court found, the appellants failed to establish that a § 1983 cause of action exists in the Fifth Circuit on the state-created-danger theory under these facts. See Saenz v. Heldenfels Bros., Inc., 183 F.3d

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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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

389 (5th Cir. 1999). Accordingly, there can be no municipal liability.

**AFFIRMED.**