

No. 07-40202

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

United States Court of Appeals
Fifth Circuit

FILED

February 1, 2008

No. 07-40202

Charles R. Fulbruge III
Clerk

ROBERT CLAYTON CROW

Plaintiff - Appellant

v.

THERESA RELKIN; REX SPOTTEDBEAR; JOHN DOE; ROBERT BURBY;
CARLOS ALCOCCER; RICCI RYAN OSTERMAYER; JAMES YANAS; CITY
OF TEXAS CITY, TEXAS

Defendants - Appellees

Appeal from the United States District Court
Southern District of Texas
USDC No. 3:05-CV-653

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

PER CURIAM:*

Robert Crow appeals the district court's order granting summary judgment to the Defendants and awarding Defendants their costs. This Court has considered the record in light of the briefs and oral argument, and we affirm. The evidence does not establish that all reasonable police officers would have

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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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

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found probable cause lacking under the facts of this case, and Defendants are therefore entitled to qualified immunity. *Babb v. Dorman*, 33 F.3d. 472, 477 (5th Cir. 1994). We likewise find no abuse of discretion in the award of costs to Defendants. The judgment of the district court is AFFIRMED.