

**IN THE UNITED STATES COURT OF APPEALS  
FOR THE FIFTH CIRCUIT**

---

No. 16-20306  
Summary Calendar

---

United States Court of Appeals  
Fifth Circuit

**FILED**

July 7, 2017

Lyle W. Cayce  
Clerk

BLANCA EMID PETTY,

Plaintiff-Appellant

v.

JOHN KENT PETTY; ROSEMARIE REEVES; CHAD ELLIS; MARK HUMPHREY; JOHN MILAM MERCK, SR.; SCOT A. POWELL; MARIE APPLING POWELL; RICHARD KERZEE; VINCENT L. MARABLE, III; JIMMY PHILLIPS, JR.; PAIGE CURRAN CUNNINGHAM,

Defendants-Appellees

---

Appeal from the United States District Court  
for the Southern District of Texas  
USDC No. 4:15-CV-2449

---

Before BENAVIDES, DENNIS, and PRADO, Circuit Judges.

PER CURIAM:\*

Blanca Emid Petty has appealed the district court's order dismissing her diversity complaint without prejudice for failure to comply with Federal Rule of Civil Procedure 4. Petty has not shown that the district court abused its

---

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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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

No. 16-20306

discretion. *See* FED. R. CIV. P. 4(m); *Lindsey v. United States R.R. Retirement Bd.*, 101 F.3d 444, 445 (5th Cir. 1996). The district court's order is AFFIRMED.