

**United States Court of Appeals
For the Eighth Circuit**

No. 14-2897

Kalvin M. Loyd; Patricia Loyd

Plaintiffs - Appellants

Kaltrice Loyd; Patrick Loyd, by and through Next Friend Patricia Thomas Loyd.;
Jarvis M. Loyd, by and through Next Friend Patricia Thomas Loyd.; Patrice M.
Loyd, by and through Next Friend Patricia Thomas Loyd.; Patricia A. Loyd, by
and through Next Friend Patricia Thomas Loyd.

Plaintiffs

v.

James Corwin; Chief Darryl Forte

Defendants - Appellees

City of Kansas City, Missouri

Defendant

Board of Police Commissioners; Charles Huth; Robert Richardson; Barry Nolan;
Chad Fenwick; Mary Bickford; Joseph Daneff; Scott A. Selock; Chad E. Safranek;
Garrett D. Polich; Douglas G. Silk; Guy E. Kirtley; Keith M. Ericsson; Eric J.
Roeder; Robert E. Browning, Jr.; Granvel E. Greenwell; Michael L. Glass; Justin
E. Crump; Owen Farris; Larry Weinhold; Robert Evans; Aaron Hendershot; John
Keil; Robert Wisdom; Kip Akerson; Richard R. Buente, #3061; Michael Miller,
#4024; Richard Dyer

Defendants - Appellees

Appeal from United States District Court
for the Western District of Missouri - Kansas City

Submitted: December 28, 2015
Filed: December 30, 2015

Before GRUENDER, BENTON, and KELLY, Circuit Judges.

PER CURIAM.

In this properly removed action, Calvin and Patricia Loyd appeal after the district court¹ dismissed their civil rights complaint, without prejudice, for failure to prosecute. Upon careful review, we conclude that the district court did not abuse its discretion in dismissing the complaint. *See Garland v. Peebles*, 1 F.3d 683, 686 (8th Cir. 1993) (dismissal for failure to prosecute is reviewed for abuse of discretion; dismissal is proper when there has been clear record of delay by plaintiff). We additionally conclude that the district court did not abuse its discretion in denying the Loyds' motion for appointment of counsel. *See Phillips v. Jasper Cty. Jail*, 437 F.3d 791, 794 (8th Cir. 2006) (denial of motion for appointment of counsel is reviewed for abuse of discretion; discussing relevant factors).

Accordingly, we affirm. *See* 8th Cir. R. 47B.

¹The Honorable Howard F. Sachs, United States District Judge for the Western District of Missouri.