736 Fed.Appx. 91 (Mem)
This case was not selected for publication in West's Federal Reporter.
See Fed. Rule of Appellate Procedure 32.1 generally governing citation of judicial decisions issued on or after Jan. 1, 2007. See also U.S.Ct. of App. 5th Cir. Rules 28.7 and 47.5.
United States Court of Appeals, Fifth Circuit.

Rebecca E. HENRY; Elizabeth Henry; Doctor Jimmy Wiley; Beverly Davis; Barbara Ringo; Josephine P. Rhymes; Rena Butler; Jeffrey Gooden; Chuck Espy; Robert Jackson Plaintiffs - Appellants
v.
CLARKSDALE MUNICIPAL SEPARATE SCHOOL DISTRICT Defendant - Appellee

17-60731
|
Summary Calendar
|
Filed August 31, 2018

Appeals from the United States District Court for the Northern District of Mississippi, USDC No. 2:64-CV-28

Attorneys and Law Firms

Alvin O. Chambliss, Jr., Houston, TX, for Plaintiffs-Appellants

John H. Cocke, Merkel & Cocke, P.A., Clarksdale, MS, for Defendant-Appellee

Before REAVLEY, JONES, and HIGGINSON, Circuit Judges.

Opinion

PER CURIAM:[*]

1 The court has considered this appeal in light of the district court's opinion denying a TRO and preliminary injunction request to stop the formation of a charter school. The plaintiffs contend the school, authorized by state law, must have the court's approval pursuant to a longstanding desegregation decree covering the Clarksdale Municipal School District. Appellants' brief fails to grapple with several deficiencies found by the trial court, including the fact that necessary state party defendants were not joined in the litigation and that the school district, although a nominal defendant, is not adverse to their position and likewise vigorously disagrees with the charter school's formation. (The district has not even filed a brief as "appellee.") The district court also questioned whether plaintiffs had been injured so as to confer standing to object to the charter school and whether, in light of the absence of party defendants, they could obtain "redress" for standing purposes. The court's other reasons for its order are immaterial here, because these deficiencies are dispositive. The judgment of the district court denying relief is **AFFIRMED.

Consequently, plaintiffs' motions in this court for attorneys' fees and "reactivation of the Bi-Racial Committee" in Clarksdale, Mississippi, are **DENIED**.

All Citations

736 Fed.Appx. 91 (Mem), 2018 WL 4191033

Footnotes

[*] Pursuant to 5th Cir. R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5th Cir. R. 47.5.4.

2018 WL 4191033