

UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 97-31163
Summary Calendar

LIONEL GALLEY,

Plaintiff-Appellant,

versus

BROWN & ROOT INTERNATIONAL, INC.,

Defendant-Appellee.

Appeal from the United States District Court
for the Western District of Louisiana
(90-CV-2791)

July 14, 1998

Before SMITH, WIENER, and BARKSDALE, Circuit Judges.

PER CURIAM:*

Lionel Galley appeals the 23 October 1997 denial of his 13 August 1997 FED. R. CIV. P. 60(b)(6) motion for relief from the district court's 12 January 1993 order dismissing his Jones Act claim for want of prosecution. Galley contends that he is entitled to such relief because the district court misled him into believing that an order of dismissal had not been entered, and that the

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 R. 47.5, the Court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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

district court led him to believe that there was no time limit on prosecuting his claim, once his initial complaint had been filed.

The record reveals that the district court did not abuse its discretion in denying the Rule 60(b)(6) motion, see **Lancaster v. Presley**, 35 F.3d 229, 231 (5th Cir. 1994), *cert. denied*, 514 U.S. 1026 (1995), in that Galley falls far short of demonstrating the existence of "extraordinary circumstances" warranting such extraordinary relief. See **Government Fin. Servs. One Ltd. Partnership v. Peyton Place, Inc.**, 62 F.3d 767, 773-74 (5th Cir. 1995); **Hester Int'l Corp. v. Federal Republic of Nigeria**, 879 F.2d 170, 174 (5th Cir. 1989).

AFFIRMED