

UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 97-20451
Summary Calendar

STEPHEN PAUL SHARP;
JACOB BRYAN SHARP,

Plaintiffs,

STEPHEN PAUL SHARP,

Plaintiff-Appellant,

versus

NOBLE DRILLING CORPORATION, ET AL.,

Defendants,

NOBLE DRILLING CORPORATION, ET AL.,

Defendants-Appellees.

Appeal from the United States District Court
for the Southern District of Texas

(H-95-CV-5215)

January 23, 1998

Before POLITZ, Chief Judge, HIGGINBOTHAM and PARKER, Circuit Judges.

PER CURIAM:*

Stephen Paul Sharp and Jacob Ryan Sharp, adult children of Roger Alan Sharp who was killed in an accident on November 14, 1994, while employed by Noble Offshore Corporation on an offshore drilling rig near the coast of Nigeria, appeal an adverse summary judgment dismissing their Jones Act, 46 U.S.C. § 688, and individual survivorship claims under 45 U.S.C. § 59. The trial court held that despite his claims to the contrary, Stephen Paul Sharp was not the properly constituted personal representative of the deceased and, as a consequence, had no standing to bring the subject action. The court *à quo* also found that neither appellant had the requisite standing to bring an individual action under 45 U.S.C. § 59.

We concur with the essentially uncontested findings by the district court and, based on the authorities cited and analysis made in the trial court's carefully considered and scholarly Memorandum and Order signed July 3, 1996 and entered of record on July 5, 1996, we AFFIRM.

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 R. 47.5, the Court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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