

UNITED STATES COURT OF APPEALS  
FOR THE FIFTH CIRCUIT

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Summary Calendar  
No. 01-51176

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DONALD J. PATTERSON,  
Plaintiff-Appellant,

versus

PHILLIP FRAZIER, ET AL.,  
Defendants

PHILLIP FRAZIER; GARY M. POENISCH, Attorney at Law,  
Defendants-Appellees.

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Consolidated with  
No. 02-50160

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DONALD J. PATTERSON,  
Plaintiff,

versus

PHILLIP FRAZIER, ET AL.,  
Defendants.

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DONALD J. PATTERSON,  
Plaintiff-Appellant,

versus

HOUSING AUTHORITY OF THE CITY OF SAN ANTONIO, TEXAS; ET AL.,

Defendants,

LE ANN PIATT; DEBRA FLACH; SUSAN POLASEK; MARY JANE MENDEZ; RUBEN  
RODRIGUEZ; JESSICA LEON; VICTORIA PUFFER,

Defendants-Appellees.

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Consolidated with  
No. 02-50161

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DONALD J. PATTERSON,

Plaintiff-Appellant,

versus

PHILLIP FRAZIER; ET AL.,

Defendants,

JIMMY G. CRAWFORD, Fire Inspector; RICHARD V. MAZUCA, Fire  
Inspector; LUPE GUERRERO, #659 Code Compliance Officer; MARTIN  
RODRIGUEZ, Director of Code Compliance; RICHARD OLIVARES, Badge  
#1295, San Antonio Police Officer; HECTOR LOPEZ; MAGGIE GONZALEZ;  
ANDY GOMEZ; ROGER RODRIGUEZ; PATRICK POLOSKEY; HENRY ROSS, III;  
AUGUSTINE J. SANCHEZ; CORKEY CONTREL; HOWARD PEAK, City of San  
Antonio Mayor,

Defendants-Appellees.

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Consolidated with  
No. 02-50238

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DONALD J. PATTERSON,

Plaintiff,

versus

PHILLIP FRAZIER, ET AL.,

Defendants.

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DONALD J. PATTERSON,

Plaintiff-Appellant,

versus

HOUSING AUTHORITY OF THE CITY OF SAN ANTONIO, TEXAS; ET AL.,

Defendants,

HOUSING AUTHORITY OF THE CITY OF SAN ANTONIO, TEXAS; DEBRA FLACH;  
SUSAN POLASEK; RUBEN RODRIGUEZ,

Defendants-Appellees.

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Appeals from the United States District Court  
for the Western District of Texas  
SA-01-CV-3, SA-01-CV-153

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December 23, 2002

Before JONES, STEWART, and DENNIS, Circuit Judges.

PER CURIAM:\*

Appellant Donald J. Patterson, appearing pro se, appeals the dismissal of certain claims he brought under the Fair Housing Act and the grant of summary judgment in favor of certain defendants on other claims. Patterson also appeals the district court's refusal

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\*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.

to appoint counsel to represent him. Finding no reversible error, we affirm.

In his complaint, Patterson brought claims under 18 U.S.C. § 241, 18 U.S.C. § 245, 42 U.S.C. § 3604(f)(1), 42 U.S.C. § 3604(f)(2), and 42 U.S.C. § 3617. In response to a motion to dismiss filed by some of the appellees under Federal Rule of Civil Procedure 12(b)(6), the district court dismissed Patterson's claims under sections 241, 245, and 3604(f)(1) against the following appellees: Le Ann Piatt, Deborah Flach, Susan Polasek, Mary Jane Mendez, Ruben Rodriguez, Jessica Leon, Victoria Puffer, and the Housing Authority of San Antonio. The district court also dismissed Patterson's section 3604(f)(2) claim against Piatt, Polasek, Mendez, Leon, and Puffer. Further, the district court dismissed Patterson's section 3617 claims against Piatt, Flach, Mendez, Ruben Rodriguez, Leon, and Puffer. The district court, however, did not dismiss Patterson's section 3617 claim against Polasek, section 3604(f)(2) claims against Flach and Ruben Rodriguez, and the claims against the Housing Authority based upon the acts of Flach, Polasek, and Ruben Rodriguez.

In response to another motion to dismiss, the district court dismissed all of Patterson's claims against the following appellees: Maggie Gonzales, Andy Gomez, Patrick Poloskey, Corkey Cotrell, Augustine J. Sanchez, Henry Ross, III, Howard Peak, Jimmy G. Crawford, Richard v. Mazuca, Lupe Guerrero, Martin Rodriguez,

Richard Olivares, Hector Lopez, and the City of San Antonio. The district court dismissed the claims against these appellees based on its holding that Patterson assigned his claims against these appellees to Frazier and that Frazier had settled these claims. Additionally, in response to a separate motion to dismiss, the district court dismissed the claims against Polasek, Flach, Ruben Rodriguez, and the Housing Authority of San Antonio, that had not been previously dismissed because these claims had also been assigned to Frazier and subsequently settled by Frazier. Also, the district court granted summary judgment in favor of Phillip Frazier and Gary Poensich (Frazier's attorney) on all claims brought against them by Patterson on the basis that Patterson's claims against them were barred under the doctrine of res judicata.

Having reviewed the briefs and record, we do not find that the district court erred in dismissing Patterson's claims. Furthermore, we do not find that the district court abused its discretion in refusing to appoint an attorney to represent Patterson. Therefore, the judgment is **AFFIRMED**.