

**IN THE UNITED STATES COURT OF APPEALS  
FOR THE FIFTH CIRCUIT**

United States Court of Appeals  
Fifth Circuit

**FILED**

April 28, 2009

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No. 08-51000  
Summary Calendar

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Charles R. Fulbruge III  
Clerk

DAVID DONALD DUVALL

Plaintiff-Appellant

v.

ATTORNEY GENERAL OFFICE OF TEXAS; TRAVIS COUNTY DISTRICT ATTORNEY'S OFFICE; RONALD EARLE, DISTRICT ATTORNEY, individual capacity; TRAVIS COUNTY; JOHN DOE, AGENT - Transact U.S. MAIL matters, individual capacity; UNITED STATES POSTAL SERVICE; STEVEN HERNANDEZ, postmaster, JOHN DOE, manager, Northcross Station

Defendants-Appellees

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Appeal from the United States District Court  
for the Western District of Texas  
(07-CV-1017)

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Before HIGGINBOTHAM, BARKSDALE, and ELROD, Circuit Judges.

PER CURIAM:\*

David Donald DuVall appeals the dismissal of his claims and the imposition of sanctions by the United States District Court for the Western District of Texas. DuVall's claims emerge from his efforts to bring about the

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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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

prosecution of his adversaries from a separate civil case that has been dismissed.<sup>1</sup> In the instant case, the claims are that various government entities and individuals stymied DuVall by refusing to accept mail from him or to pursue criminal charges.

We review dismissals under Fed. R. Civ. P. 12(b)(1) and 12(b)(6) de novo. However, DuVall provides no meaningful arguments based in fact or in law for any of his alleged points of error, nor has he filed a reply brief in response to the briefs of his opponents. Our review of the judgment of the district court reveals no error. DuVall's factual offerings are deficient to state a claim as to any of the defendants-appellants, many of whom rightfully claim further immunities that would stand in the way of DuVall's suit.

Finally, DuVall offers no ground in fact or in law for overturning the imposition of sanctions, and therefore these too must stand.

The judgment of the district court is AFFIRMED.

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<sup>1</sup> See *DuVall v. Lowe's Companies, Inc.*, No. 07-cv-690 (W.D. Tex. Dec. 20, 2007), *aff'd* No. 07-51405 (5th Cir., May 16, 2008).