

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

No. 15-10135
Summary Calendar

United States Court of Appeals
Fifth Circuit

FILED

January 6, 2016

Lyle W. Cayce
Clerk

JAMES DOHERTY,

Plaintiff - Appellant

v.

DUANE NELLIS, in his Official Capacity as President of Texas Tech University; TEDD MITCHELL, in his Official Capacity as President of Texas Tech University Health Sciences Center School of Medicine; SIMON WILLIAMS, in his Official Capacity as Associate Dean for Academic Affairs; RONALD SEACRIST, in his Official Capacity as Chief of the Texas Tech University Police Department; KEVIN WILLIAMS, in his Official Capacity as Associate General Counsel of Texas Tech University Health Sciences Center; TEXAS TECH UNIVERSITY; TEXAS TECH UNIVERSITY HEALTH SCIENCES CENTER,

Defendants - Appellees

Appeal from the United States District Court
for the Northern District of Texas
USDC No. 5:14-CV-155

Before DAVIS, JONES, and GRAVES, Circuit Judges.

PER CURIAM:*

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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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

No. 15-10135

James Doherty appeals the Fed. R. Civ. P. 12(b)(6) dismissal of federal and Texas state law claims stemming from his alleged wrongful dismissal from the Texas Tech University Health Sciences Center (“TTUHSC”) School of Medicine.

Our thorough review of the briefs in this matter, the pertinent parts of the record, and the applicable law reveals no error. The district court properly held that Doherty failed to state any plausible claim of a substantive or procedural due process violation under either the United States or Texas constitutions. The district court similarly did not err in its determination that Doherty’s remaining claims - including his unlawful taking claim, his Americans with Disabilities Act and the Rehabilitation Act of 1973 claims, and his conspiracy claim - warranted dismissal for their collective failure to allege a plausible right to relief.

We, therefore, affirm the district court’s dismissal of all claims asserted by Doherty.

AFFIRMED.