

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

No. 16-10256
Summary Calendar

United States Court of Appeals
Fifth Circuit

FILED

October 19, 2016

Lyle W. Cayce
Clerk

BRENDA POWELL,

Plaintiff-Appellant

v.

STEPHEN GINGER,

Defendant-Appellee

Appeal from the United States District Court
for the Northern District of Texas
USDC No. 7:15-CV-30

Before JONES, WIENER, and CLEMENT, Circuit Judges.

PER CURIAM:*

Plaintiff-Appellant Brenda Powell appeals the ruling of the district court that Defendant-Appellee Stephen Ginger is entitled to qualified immunity, and thus to summary judgment dismissing this case for the absence of genuine issues of material fact regarding Officer Ginger's application of deadly force in the shooting of Powell's major son, Joshua Powell, during the course of Ginger's response to a call for police assistance to deal with Joshua. We have reviewed the record on appeal, including but not limited to the briefs of the parties and

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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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

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the district court's Order of February 4, 2016 in explication of its Judgment of that date, and we are satisfied that summary judgment dismissal of this case on the basis of qualified immunity is eminently correct. For essentially the same reasons set out by the district court in its abovesaid Order, its Judgment dismissing Powell's action is, in all respects,

AFFIRMED.