

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

No. 17-30061
Summary Calendar

United States Court of Appeals
Fifth Circuit

FILED

March 6, 2018

Lyle W. Cayce
Clerk

JEFFERY A. BROUSSARD,

Plaintiff–Appellant,

versus

IKE BROWN; SAMUEL LACY; SERGEANT HOLMES; BILL HARRISON;
SERGEANT SMITH; HENRY BATES,

Defendants–Appellees.

Appeal from the United States District Court
for the Western District of Louisiana
No. 3:14-CV-720

Before HIGGINBOTHAM, JONES, and SMITH, Circuit Judges.

PER CURIAM:*

Jeffery Broussard, Louisiana prisoner #613311, appeals the dismissal of

* 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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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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his civil rights action brought under 42 U.S.C. § 1983. Broussard avers that the district court erred in granting summary judgment and dismissing his action as barred by limitations. With the benefit of liberal construction, Broussard contends that the doctrines of continuing tort and *contra non valentem* operate to suspend limitations and render his action timely. He also contends that the district court erred in denying discovery motions.

We have reviewed the record and the briefs. The district court did not err in granting summary judgment based on limitations. *See United States v. Lawrence*, 276 F.3d 193, 197 (5th Cir. 2001); *Melton v. Teachers Ins. & Annuity Ass'n of Am.*, 114 F.3d 557, 559 (5th Cir. 1997). Further, Broussard abandons any challenge the dismissal of his action against Bill Harrison on the basis of res judicata. *See Brinkmann v. Dall. Cty. Sheriff Abner*, 813 F.2d 744, 748 (5th Cir. 1987). Additionally, the court did not abuse its discretion in denying Broussard's discovery motions in order to enforce a scheduling order. *See Turnage v. Gen. Elec. Co.*, 953 F.2d 206, 208–09 (5th Cir. 1992).

Accordingly, the judgment is AFFIRMED. Broussard's motion to reconsider an extension of time to file a reply brief is GRANTED, and we have considered that brief; his motion to file a supplemental brief is DENIED as moot.