

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

United States Court of Appeals
Fifth Circuit

FILED

August 15, 2018

Lyle W. Cayce
Clerk

No. 17-30908

JOHN DOE SMITH, Officer, Through his Curator, John Doe Jones,

Plaintiff – Appellant,

v.

DERAY MCKESSON; BLACK LIVES MATTER; JOHNETTA ELZIE;
BLACK LIVES MATTER NETWORK, INCORPORATED;
#BLACKLIVESMATTER; ALICIA GARZA; PATRISSE CULLORS; OPAL
TOMETI,

Defendants – Appellees.

Appeal from the United States District Court
for the Middle District of Louisiana
USDC No. 3:17-CV-429

Before JOLLY, ELROD, and WILLETT, Circuit Judges.

PER CURIAM:*

Officer John Doe Smith brought this lawsuit after someone shot and injured him and other officers in an ambush. The shooter is not a defendant in this case. The defendants here are Black Lives Matter and several of its partners and leaders, whom Smith alleges are liable for the injuries he

* Pursuant to Fifth Circuit Rule 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in Fifth Circuit Rule 47.5.4.

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sustained. According to Smith, the shooter “followed and mimicked” a Black Lives Matter activist. The district court dismissed the case for failure to state a plausible claim for relief. *See Ashcroft v. Iqbal*, 556 U.S. 662, 678 (2009). After consideration of the complaint, district court opinion, briefs, and applicable law in this matter, we conclude that no reversible error occurred. *See* Fed. R. Civ. P. 8(a)(2). The district court’s judgment is AFFIRMED.