

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

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No. 18-50997  
Summary Calendar

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United States Court of Appeals  
Fifth Circuit

**FILED**

June 12, 2019

Lyle W. Cayce  
Clerk

ANGEL-LUIS MARTINEZ, JR.,

Plaintiff - Appellant

v.

STATE OF TEXAS, Mike Waldman; Shelly Stimple; MIKE WALDMAN;  
SHELLY STRIMPLE,

Defendants - Appellees

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Appeal from the United States District Court  
for the Western District of Texas  
USDC No. 6:18-CV-134

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Before DENNIS, CLEMENT, and OWEN, Circuit Judges.

PER CURIAM:\*

Angel-Luis Martinez, Jr. filed an action in the district court challenging his Texas state court conviction for aggravated assault and sentence of fifty years imprisonment, and bringing claims against individuals for their alleged actions as prosecutors in obtaining the conviction. The district court dismissed the action pursuant to Federal Rule of Civil Procedure 12(b)(5) for insufficient

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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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

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service of process and Rule 12(b)(6) for failure to state a claim upon which relief can be granted. Martinez appealed. We now AFFIRM for the same reasons given by the district court.