

United States Court of Appeals
for the Fifth Circuit

United States Court of Appeals
Fifth Circuit

FILED

March 10, 2021

Lyle W. Cayce
Clerk

No. 20-20236

APOLLOS DUCKETT,

Plaintiff—Appellant,

versus

UBER TECHNOLOGIES, INCORPORATED,

Defendant—Appellee.

Appeal from the United States District Court
for the Southern District of Texas
USDC No. 4:16-CV-615

Before HAYNES, WILLETT, and HO, *Circuit Judges.*

PER CURIAM:*

Apollos Duckett sued Uber Technologies for breach of contract under Texas common law for Uber's alleged failure to remit toll expenses. Duckett, an Uber driver, seeks \$50 billion in damages for the alleged failure to remit those expenses. Uber filed a motion for summary judgment on that claim. The district court granted Uber's motion for summary judgment, with

* Pursuant to 5TH CIRCUIT RULE 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIRCUIT RULE 47.5.4.

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prejudice, and dismissed Duckett's breach of contract claim. The district court also denied Duckett's motion for leave to file a fourth amended complaint. Duckett, proceeding pro se, challenges both rulings on appeal.

After carefully considering the briefs, record, the district court's denial of Duckett's motion for leave to amend, and the district court's grant of Uber's summary judgment motion, we affirm for essentially the reasons given by the district court.