

United States Court of Appeals for the Fifth Circuit

No. 25-11262
Summary Calendar

United States Court of Appeals
Fifth Circuit

FILED

September 9, 2026

Lyle W. Cayce
Clerk

ELISHA HOLLOWAY,

Plaintiff—Appellant,

versus

BRYAN POLK, *in his individual and official capacity*; CHRISTSTACHIA
TEFERA, *in her individual capacity*; LYNN M. JOHNSON, *in her official
capacity*; JOHN DOES 1-10,

Defendants—Appellees.

Appeal from the United States District Court
for the Northern District of Texas
USDC No. 4:25-CV-1128

Before HAYNES, GRAVES, and RAMIREZ, *Circuit Judges*.

PER CURIAM: *

Elisha Holloway appeals the denial of her motion for injunctive relief, the dismissal with prejudice of her amended complaint, and the finding that she is a vexatious litigant and imposition of a pre-filing injunction. She also has filed motions requesting this court take judicial notice of ongoing state

* This opinion is not designated for publication. *See* 5TH CIR. R. 47.5.

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court proceedings and a motion to file a supplemental brief and appendix, which we DENY.

After reviewing the record and Holloway's brief, we conclude that the district court did not err in determining that she failed to state a claim. *See Allen v. Hays*, 65 F.4th 736, 743 (5th Cir. 2023). We also agree with the district court that Holloway had multiple opportunities to present her best case, so dismissal with prejudice was appropriate. *See James v. Smith*, 152 F.4th 594, 610 (5th Cir. 2025).

Next, Holloway argues that the district court erred by denying injunctive relief. However, she has failed to adequately brief the issue, and we decline to consider it. *See Yohey v. Collins*, 985 F.2d 222, 225 (5th Cir. 1993); *Brinkmann v. Dall. Cnty. Deputy Sheriff Abner*, 813 F.2d 744, 748 (5th Cir. 1987).

Finally, Holloway argues that the district court erred in finding she was a vexatious litigant and imposing a pre-filing injunction without first finding that her litigation was in bad faith or holding an evidentiary hearing. Here, the magistrate judge's report provided the required notice and an opportunity to respond. *See Qureshi v. United States*, 600 F.3d 523, 525-26 (5th Cir. 2010). In addition, although the district court did not explicitly consider the relevant factors for imposing a pre-filing injunction, we conclude it did so implicitly and did not abuse its discretion in finding such sanctions were warranted. *See Baum v. Blue Moon Ventures, LLC*, 513 F.3d 181, 189 (5th Cir. 2008).

AFFIRMED.