

United States Court of Appeals  
for the Fifth Circuit

---

No. 25-20487

---

United States Court of Appeals  
Fifth Circuit

**FILED**

September 15, 2026

Lyle W. Cayce  
Clerk

LESLIE BALES; BRYAN BALES,

*Plaintiffs—Appellants,*

*versus*

HOUSTON INDEPENDENT SCHOOL DISTRICT; RITA GRAVES,

*Defendants—Appellees.*

---

Appeal from the United States District Court  
for the Southern District of Texas  
USDC No. 4:24-CV-4958

---

Before SMITH, HAYNES, and ENGELHARDT, *Circuit Judges.*

PER CURIAM:\*

Leslie Bales and her husband, Bryan Bales, sued Houston Independent School District and Rita Graves, the principal at Lamar High School, complaining of the actions of school employees regarding incidents occurring at the high school in 2023 involving these plaintiffs and their adult daughters, Maegan Ann Bales-Cortez and Zoe Katherine Bales. The complaint, under 42 U.S.C. § 1983, alleged constitutional violations of the First Amendment Free Speech Clause, the Fourteenth Amendment Due Process and Equal

---

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

No. 25-20487

Protection Clauses, and retaliation in violation of the First and Fourteenth Amendments. The defendants moved to dismiss per Federal Rule of Civil Procedure 12(b)(1) and (6), and Graves asserted the defense of qualified immunity.

In a comprehensive twenty-three-page order entered September 30, 2025, the district court granted the motion to dismiss and denied plaintiffs' request for leave to amend the complaint. The plaintiffs appeal.

The district court carefully examined each claimed element as to each defendant.

First, the court dismissed, without prejudice, the action by Mr. Bales for lack of standing based on the absence of a particularized injury.

Next, the court determined that on First Amendment viewpoint discrimination, Ms. Bales failed to satisfy the second prong of the qualified immunity rubric for failure to point to clearly established law.

Regarding equal protection, the court determined that there was no showing of racially discriminatory intent.

As for due process, the district court explained why there was no violation of substantive or procedural due process in the actions of school officials taken in respect to the Baleses.

The court dismissed the retaliation assertions by finding nothing that would have reasonably chilled speech.

As for the claims of municipal liability against HISD, the district court reasoned that the district cannot be liable where, as the court found, there is no constitutional liability on the part of the district's officers or employees.

Respecting ratification, the court concluded that the complaint does not support the extreme factual situation that the law of this circuit requires.

No. 25-20487

And finally, the district court denied the request for leave to amend as too conclusory.

We have reviewed the complaint and other pleadings and the briefs of the parties and have consulted applicable Supreme Court and Fifth Circuit law. We have heard the oral arguments of counsel. There is no reversible error. The judgment of dismissal is AFFIRMED, essentially for the reasons impressively set forth by the district court.