

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

No. 15-20761
Summary Calendar

United States Court of Appeals
Fifth Circuit

FILED

August 23, 2016

Lyle W. Cayce
Clerk

GARY FRAKES,

Plaintiff - Appellant

v.

CAPTAIN DUSTIN OTT; SERGEANT BILLY MASDEN,

Defendants - Appellees

Appeal from the United States District Court
for the Southern District of Texas
USDC No. 4:14-CV-1753

Before HIGGINBOTHAM, ELROD, and SOUTHWICK, Circuit Judges.

PER CURIAM:*

Officer Dustin Ott responded to a car accident on Gary Frakes's property. Frakes approached the scene of the accident, shotgun in hand. Ott drew his own weapon and called for backup. Officer Billy Masden arrived, handcuffed Frakes, searched him, and placed him in a squad car for between fifteen and thirty minutes while the officers secured the scene and investigated the

* 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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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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accident. Frakes sued Ott and Masden, alleging violations of his Fourth and Fourteenth Amendment rights. The district court entered summary judgment for the defendants on the basis of qualified immunity.

We have reviewed the briefs, the applicable law, and pertinent portions of the record; no party requests oral argument. There is no reversible error, so the judgment is **AFFIRMED**, essentially for the reasons stated by the district court in its thorough opinions.