

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

United States Court of Appeals  
Fifth Circuit

**FILED**

March 24, 2011

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No. 10-20090  
Summary Calendar  
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Lyle W. Cayce  
Clerk

DAVID THOMAS, JR.,

Plaintiff-Appellant

v.

C. ZAKHORIA, Houston Police Officer; C. ROZEK, Houston Police Officers;  
M. CHAPNICK, Houston Police Officer,

Defendants-Appellees

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Appeal from the United States District Court  
for the Southern District of Texas  
USDC No. 4:07-CV-3251  
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Before WIENER, PRADO, and OWEN, Circuit Judges.

PER CURIAM:\*

Plaintiff-Appellant David Thomas, Jr. filed this action against Houston police officers and others alleging use of excessive force in arresting him in the restroom of a Whataburger restaurant. The case was tried before a jury which returned a verdict in favor of Defendants-Appellants, and the district court entered a take-nothing judgment dismissing Thomas's action. Proceeding pro

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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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

No. 10-20090

se and in forma pauperis on appeal, Thomas contends only that the jury verdict was against the great weight of the evidence and that it should be reversed and his case remanded for a new trial.

Our review of the record on appeal, including the briefs of the parties and the applicable law, convinces us that there is no basis for our reversing the verdict of the jury or the judgment of the district court entered pursuant thereto.

Accordingly, that judgment is, in all respects,

**AFFIRMED.**