

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

No. 19-20223
Summary Calendar

United States Court of Appeals
Fifth Circuit

FILED
October 2, 2019

Lyle W. Cayce
Clerk

STEPHANIE JONES,

Plaintiff - Appellant

v.

JEREMY EDER, in his individual capacity; J. DALE, in his individual capacity; B. BAKER, in his individual capacity; R. NG, in his individual capacity; FORT BEND COUNTY,

Defendants - Appellees

Appeal from the United States District Court
for the Southern District of Texas
USDC No. 4:15-CV-2919

Before HIGGINBOTHAM, HO, and ENGELHARDT, Circuit Judges.

PER CURIAM:*

On January 31, 2014, defendant police officer Jeremy Eber led a search of appellant Stephanie Jones's home. Eber had a warrant, though it only permitted him to search for cocaine. During the search, another officer drew Eber's attention to one and a half pills on Jones's windowsill. In inspecting 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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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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pills, Eber called poison control and learned that the pills were alprazolam (Xanax) and hydrocodone. After learning that, police seized the pills and arrested Jones. Eber did not know, but the pills belonged to Jones and her father, and both had prescriptions for them. Police also seized \$600. A grand jury indicted Jones for possessing a controlled substance in a school zone. The prosecution later dismissed the indictment.

Jones filed suit, alleging in the operative complaint seven § 1983 claims against Eber, three other police officers, and Fort Bend County. The claims rested on violations of the Fourth Amendment for unlawful seizure of Jones's property and for Jones's arrest, failure to protect and violations of medical privacy claims rooted in the Fourteenth Amendment's due process clause, and a *Monell* claim against Fort Bend County. *Monell v. Dep't of Soc. Servs. of N.Y.*, 436 U.S. 658 (1978). The district court, based on recommendations from the magistrate, dismissed the Fourteenth Amendment claims on August 31, 2016, and granted summary judgment on the remaining claims remaining defendants in orders dated March 20, 2018, and March 21, 2019.

We have reviewed the briefs, the applicable law, and relevant parts of the record. The district court committed no reversible error. The judgment is affirmed, essentially on the basis carefully explained in the magistrate's recommendations and district court's orders adopting them.