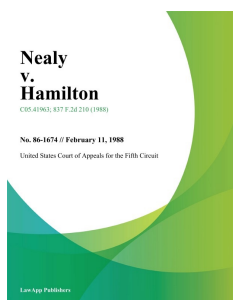


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NEALY V HAMILTON EBOOKS 2019



Author: United States Court of Appeals for the Fifth Circuit

Realese Date: Expected @@expectedReleaseDate@@

BRIGHT, Circuit Judge: W. Garland Nealy, acting pro se, brought this action against lawyers Jack Hamilton, Michael Garson and Walton Shepherd and John Doe(s). Nealy asserts that these lawyers, by proffering allegedly false and confidential testimony while testifying as witnesses against Nealy in a criminal conspiracy and tax fraud case, violated Nealy's civil rights under 42 U.S.C. Â§ 1985(2) (1982) (conspiracy to obstruct justice of the laws) and the attorney-client privilege. The district court1 dismissed Nealy's complaint for failure to state a claim. Nealy appeals, asserting that the district court erred in dismissing the claim without permitting him to present any evidence in support of his contentions. He also claims that the trial court erred in refusing to enter a default judgment against defendant Hamilton, who, accordingly to Nealy, did not answer the compliant. The appointed counsel who represented Nealy in the argument on appeal asserted that Nealy's claims stated a claim for relief under the first part of 42 U.S.C. Â§ 1985(2). We have examined the briefs and the files and record in this case and affirm the dismissal.

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