

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

No. 15-20498
Summary Calendar

United States Court of Appeals
Fifth Circuit

FILED
March 14, 2016
Lyle W. Cayce
Clerk

SAMUEL MAYO,

Plaintiff - Appellant

v.

PASADENA POLICE DEPARTMENT; HARRIS COUNTY SHERIFF
DEPARTMENT,

Defendants - Appellees

Appeal from the United States District Court
for the Southern District of Texas
USDC No. 4:12-CV-3123

Before REAVLEY, SMITH, and HAYNES, Circuit Judges.

PER CURIAM:*

Samuel Mayo seeks to revive his civil rights claims in this appeal of the district court's Order denying his request for relief under Federal Rule of Civil Procedure 60(b). We have reviewed the record and briefs on appeal and affirm the district court's Order.

* 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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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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Rule 60(b) provides relief from a final judgment, order or proceeding in the event of mistake or misconduct, newly discovered evidence, fraud or other reasons that justify relief. Fed. R. Civ. P. 60(b). Mayo argues that he was denied such relief because the defendants and the district court committed fraud, misrepresentation and misconduct. The evidence does not support his contentions. Thus, the district court properly concluded that Mayo failed to clearly and convincingly establish the existence of fraud or other misconduct that prevented him from “fully and fairly presenting his case.” *Gov’t Fin. Servs. One Ltd. P’ship v. Peyton Place, Inc.*, 62 F.3d 767, 772 (5th Cir. 1995).

Accordingly, we hold that the district court did not abuse its discretion in denying Mayo’s request for relief.

AFFIRMED.