

United States Court of Appeals for the Fifth Circuit

No. 23-10172
Summary Calendar

United States Court of Appeals
Fifth Circuit

FILED

July 28, 2023

Lyle W. Cayce
Clerk

BUEFORD JAMES FRIEMEL,

Plaintiff—Appellant,

versus

CESAR DELEON; RANDALL COUNTY SHERIFF; CORNERSTONE
SURVEYOR; SIERRA TOWING AND CRUSHING; FREDERIC M.
WOLFRAM FIRM; WRIGHT LAW; RANDALL COUNTY INTERNAL
AFFAIRS; RANDALL COUNTY SHERIFF AND ADMINISTRATION;
DARRELL R. CAREY, *Lawyer,*

Defendants—Appellees.

Appeal from the United States District Court
for the Northern District of Texas
USDC No. 2:22-CV-174

Before KING, SOUTHWICK, and HIGGINSON, *Circuit Judges.*

PER CURIAM:*

Bueford James Friemel, acting pro se, appeals the district court's dismissal of his suit without prejudice under Federal Rule of Civil Procedure

* This opinion is not designated for publication. See 5TH CIR. R. 47.5.

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4(m) for failing to show good cause as to his failure to timely serve defendants. We review the district court's dismissal under Rule 4(m) for an abuse of discretion. *Thrasher v. City of Amarillo*, 709 F.3d 509, 512 (5th Cir. 2013).

On appeal, Friemel concedes that he did not serve defendants in a timely manner or show good cause as to this failure but states that he was unaware that he had to show good cause because he was denied counsel, denied a time extension, and is appearing pro se. However, Friemel does not argue that the district court improperly denied him counsel or a time extension, and our review of the record indicates that Friemel's motions seeking such treatment were correctly denied. Furthermore, "[a] litigant's pro se status neither excuses his failure to effect service nor excuses him for lack of knowledge of the Rules of Civil Procedure." *Id.* (footnote omitted). Accordingly, we find no error in the district court's without-prejudice dismissal of this suit.

AFFIRMED.