Highland Capital Mgmt., LP v. Looper Reed & McGraw, P.C., No. 05-15-00055-CV, 2016 WL 164528, at *6 (Tex. App.—Dallas Jan. 14, 2016, pet. filed) (citing *Byrd*, 467 S.W.3d at 482, and dismissing conspiracy and breach of fiduciary claims asserted by party against opposing attorneys because actions alleged were "kinds of actions that are part of the discharge of an attorney's duties in representing a party in hard-fought litigation").

Here, Appellants' Complaint contains no allegations that Appellee Young engaged in any conduct that was "entirely foreign to the duties of an attorney." *Id.* at 482. Nor did Appellants allege Appellee Young was engaging in conduct that did not involve the provision of legal services. *Id.* Indeed, Appellants' Complaint did not allege ***any*** conduct of Appellee Young they claimed was wrongful. *Id.*

In this Court, the only conduct of Appellee Young that is mentioned in Appellants' Brief (other than complaining about substantive arguments raised at the District Court in Appellee Young's defense of this case) is the unremarkable fact that Appellee Young was able to schedule a single hearing in the probate court. Appellants' Brief, at 27 ("It only took nine days for Jill Willard Young to get a hearing . . . ."). Certainly, scheduling a hearing is one of "the kinds of actions that are part of the discharge of an attorney's duties in representing a party . . . ." *Highland Capital Mgmt., LP*, No. 05-15-00055-CV, 2016 WL 164528, at *6.

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the provision of legal services and would thus fall outside the scope of client representation." *Byrd*, 467 S.W.3d at 482 (quoting *Poole v. Hous. & T.C. Ry. Co.*, 58 Tex. 134, 137 (1882)).

Thus, Appellee Young is protected by Texas's doctrine of attorney immunity Her dismissal from this suit should be affirmed.

II. Appellants Fail to Challenge the District Court's Dismissal of the Case Via Its Inherent Power.

The District Court determined that Appellants' Complaint should be dismissed as "frivolous because [Appellants] have completely failed to allege any facts supporting the delusional scenario articulated in their Complaint, much less any facts giving rise to a plausible claim for relief." ROA.3334. The District Court then exercised its own "inherent authority to dismiss a pro se litigant's frivolous or malicious complaint sua sponte." *Id.*

Appellants have failed to preserve any error relating to the District Court's dismissal of Appellants' claims using its inherent authority. But even if they had preserved error, the District Court's ruling should be affirmed on the merits.

A. Waiver

Nowhere do Appellants contend the District Court erred in dismissing the case via its inherent power. Indeed, nowhere in Appellants' Brief are the words "inherent" or "sua sponte" even mentioned. By failing to assign error to the specific determinations made by the District Court, Appellants have waived any error by the District Court. *See* FED. R. APP. P. 28 (a)(8)(A); *Scroggins*, 599 F.3d at 447.