

IN THE UNITED STATES COURT OF APPEALS  
FOR THE FIFTH CIRCUIT

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No. 00-60432  
Conference Calendar

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CARL LEE JONES,

Plaintiff-Appellant,

versus

WALTER BOOKER; JAMES V. ANDERSON;  
UNKNOWN CLARK, Employee at MDOC;  
G. NELSON, Employee at MDOC;  
M. HEMPHILL, Employee at MDOC;  
UNKNOWN REDDICK, Employee at MDOC;  
RED DOG, Alias for an inmate at  
Parchman,

Defendants-Appellees.

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Appeal from the United States District Court  
for the Northern District of Mississippi  
USDC No. 4:00-CV-71-P-B  
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February 13, 2001

Before SMITH, BARKSDALE, and EMILIO M. GARZA, Circuit Judges.

PER CURIAM:\*

Carl Lee Jones, Mississippi prisoner number 41714, appeals the district court's closure of his 42 U.S.C. § 1983 suit for failure to exhaust his administrative remedies prior to filing suit. Jones provides neither argument nor authorities on the threshold issue whether the district court erred in determining that he had not exhausted his administrative remedies. He thus

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\* 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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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.

has failed to brief this issue, and it is waived. See Yohey v. Collins, 985 F.2d 222 (5th Cir. 1993); Fed. R. App. P. 28(a)(9). Because he has waived the only issue available to him in this appeal, the appeal is dismissed as frivolous. Howard v. King, 707 F.2d 215 (5th Cir. 1983); 5th Cir. R. 42.2.

APPEAL DISMISSED AS FRIVOLOUS; 5TH CIR. R. 42.2.