

IN THE UNITED STATES COURT OF APPEALS  
FOR THE FIFTH CIRCUIT

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No. 01-10402  
Conference Calendar

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UNITED STATES OF AMERICA,

Plaintiff-Appellee,

versus

JOSE LOUIS PECINA,

Defendant-Appellant.

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Appeal from the United States District Court  
for the Northern District of Texas  
USDC No. 4:91-CR-94-2-E  
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October 26, 2001

Before WIENER, BENAVIDES, and DENNIS, Circuit Judges.

PER CURIAM:\*

Jose Louis Pecina appeals the dismissal of his motion for arrest of judgment and to dismiss the indictment. Because Pecina does not argue that it was error for the district court to have construed his filing as a second or successive motion pursuant to 28 U.S.C. § 2255 and to have dismissed it for lack of jurisdiction, the issue is deemed abandoned. Brinkmann v. Dallas County Deputy Sheriff Abner, 813 F.2d 744, 748 (5th Cir. 1987). Although we afford a liberal construction to pro se filings, pro se appellants are required to brief the issues and reasonably

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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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

comply with the requirements of Fed. R. App. P. 28. Grant v. Cuellar, 59 F.3d 523, 524 (5th Cir. 1995). We do not consider Pecina's jurisdictional argument raised for the first time in his reply brief. See Cinel v. Connick, 15 F.3d 1338, 1345 (5th Cir. 1994) (scope of reply brief is limited, and appellant abandons all issues not raised and argued in initial brief on appeal); Knighen v. Commissioner, 702 F.2d 59, 60 & n.1 (5th Cir. 1983) (issue may not be raised for first time in reply brief, even by a pro se appellant).

The judgment of the district court is AFFIRMED.