

October 22, 2003

Charles R. Fulbruge III
Clerk

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 02-11186
Conference Calendar

JOSE L. G. BALDERRAMA,

Petitioner-Appellant,

versus

DOUG DRETKE, DIRECTOR,
TEXAS DEPARTMENT OF CRIMINAL
JUSTICE, CORRECTIONAL INSTITUTIONS DIVISION,

Respondent-Appellee.

Appeal from the United States District Court
for the Northern District of Texas
USDC Nos. 2:00-CV-357; 2:00-CV-358

Before KING, Chief Judge, and JOLLY and STEWART, Circuit Judges.

PER CURIAM:*

Jose L. G. Balderrama, Texas prisoner #871879, appeals from the district court's dismissal of his federal habeas petition as time-barred. Because Balderrama fails to address in his original appellate brief the issues upon which this court granted a certificate of appealability, such issues are deemed abandoned. See Cinel v. Connick, 15 F.3d 1338, 1345 (5th Cir. 1994). We decline to address the arguments presented in Balderrama's reply

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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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

brief since they constitute newly-raised issues that are non-responsive to the arguments presented in the Respondent-Appellee's brief. See Stevens v. C.I.T. Group/Equip. Fin., Inc., 955 F.2d 1023, 1026 (5th Cir. 1992).

AFFIRMED.