

April 21, 2003

Charles R. Fulbruge III
Clerk

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 02-30811
Conference Calendar

VINCENT MARK CASTILLO,

Plaintiff-Appellant,

versus

LINDA S. BROCKHOEFT, Clerk of Court for the
24th Judicial District Court, Jefferson, LA,

Defendant-Appellee.

- - - - -

Appeal from the United States District Court
for the Eastern District of Louisiana
USDC No. 02-CV-690

- - - - -

Before DAVIS, BARKSDALE, and STEWART, Circuit Judges.

PER CURIAM:*

Vincent Mark Castillo has filed a motion for leave to proceed in forma pauperis ("IFP") in his appeal of the district court's dismissal of his civil rights complaint. This court may authorize Castillo to proceed IFP on appeal if he is economically eligible and his appeal is not frivolous. See Jackson v. Dallas Police Dep't, 811 F.2d 260, 261 (5th Cir. 1986).

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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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

Failure to identify an error in the district court's analysis is the same as if the appellant had not appealed the judgment. See Brinkmann v. Dallas County Deputy Sheriff Abner, 813 F.2d 744, 748 (5th Cir. 1987). In his proposed appellate brief, Castillo makes no attempt to contest the district court's determinations that his claims lack an arguable basis in law, that his complaint fails to state a claim, and that the complaint seeks monetary damages from immune defendants. Castillo thus has waived the only issues relevant to his IFP motion. See Yohey v. Collins, 985 F.2d 222, 225 (5th Cir. 1993) (issues not briefed are deemed abandoned).

Because Castillo's appeal presents no non-frivolous issue, we DENY his motion to proceed IFP, and we DISMISS the appeal as frivolous. See Howard v. King, 707 F.2d 215, 219-20 (5th Cir. 1983); 5TH CIR. R. 42.2.

IFP MOTION DENIED; APPEAL DISMISSED AS FRIVOLOUS.