

IN THE UNITED STATES COURT OF APPEALS  
FOR THE FIFTH CIRCUIT

---

No. 02-40725  
Summary Calendar

---

EDDIE ARNOLD LEACH, JR.,

Plaintiff-Appellant,

versus

T.C. CHIVERS, Sergeant; C.D. KING, IV, CO; R. SMITH, IV, CO;  
J.W. CATOE; S.A. MELVIN, Major; D. GROUNDS, Warden; B.W. RODEEN,  
Assistant Warden; J. HALL, Correctional Officer at Telford Unit;  
C. BECKHAM, Correctional Officer at Telford Unit; R. STANDLEY,  
Senior Medical Doctor at Telford Unit; G. JOHNSON, Executive  
Director of Texas Department of Criminal Justice; STATE OF TEXAS,

Defendants-Appellees.

-----  
Appeal from the United States District Court  
for the Eastern District of Texas  
USDC No. 5:01-CV-176  
-----

December 6, 2002

Before JONES, DUHÉ, and CLEMENT, Circuit Judges.

PER CURIAM:<sup>1</sup>

Eddie Arnold Leach, Jr., Texas prisoner # 825037, appeals the district court's dismissal of his 42 U.S.C. § 1983 lawsuit without prejudice for failure to comply with a court order, pursuant to FED. R. CIV. P. 41(b). Leach misapprehends the nature of the district court's dismissal and addresses his brief entirely to the

---

<sup>1</sup> 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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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.

argument that dismissal for failure to exhaust administrative remedies was incorrect. Leach does not make any argument regarding the propriety of dismissal under Rule 41(b) and has thus waived the sole ground for appeal. See Yohey v. Collins, 985 F.2d 222, 224-25 (5th Cir. 1993). Furthermore, Leach has not provided sufficient information upon which we could order a remand to allow him to show exhaustion. Accordingly, the district court's judgment is

AFFIRMED.