

December 9, 2003

Charles R. Fulbruge III
Clerk

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 03-40355
Conference Calendar

TYRONN ELISTER BROWNING,

Plaintiff-Appellant,

versus

K. C. LOVE, Doctor, Gurney Unit; CLASSIFICATION DEPARTMENT,
Gurney Unit; KAY SHEELEY, Regional Director; ROCHELLE MCKINNEY,
Professional Standards, Texas Department of Criminal Justice;
JOHN SHARP,

Defendants-Appellees.

Appeal from the United States District Court
for the Eastern District of Texas
USDC No. 6:00-CV-192

Before DAVIS, EMILIO M. GARZA, and DENNIS, Circuit Judges.

PER CURIAM:*

Former Texas prisoner Tyronn Elister Browning appeals the district court's summary judgment in favor of the defendants in his 42 U.S.C. § 1983 action challenging his job assignment during his incarceration. On appeal, Browning does not address any of the facts or issues raised in his complaint or the motion for summary judgment, nor does he make any particular allegations

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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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

against any of the named defendants. Failure to identify an error in the district court's analysis is the same as if the appellant had not appealed the judgment. Brinkmann v. Dallas County Deputy Sheriff Abner, 813 F.2d 744, 748 (5th Cir. 1987). Although pro se briefs are afforded liberal construction, Haines v. Kerner, 404 U.S. 519, 520 (1972), even pro se litigants must brief arguments in order to preserve them, Yohey v. Collins, 985 F.2d 222, 224-25 (5th Cir. 1993). Browning's appeal is without arguable merit and is thus frivolous. See Howard v. King, 707 F.2d 215, 220 (5th Cir. 1983). Accordingly, the appeal is DISMISSED. 5TH CIR. R. 42.2.