

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 02-20124
Conference Calendar

ANDRE J. HOWARD,

Plaintiff-Appellant,

versus

EBI COMPANIES; CONNECTICUT INDEMNITY,

Defendants-Appellees.

Appeal from the United States District Court
for the Southern District of Texas
USDC No. H-01-CV-2906

August 20, 2002

Before HIGGINBOTHAM, DAVIS, and PARKER, Circuit Judges.

PER CURIAM:*

Andre J. Howard appeals the district court's denial of FED. R. Civ. P. 60(b) relief from the dismissal of a complaint for damages arising out of a Texas Workers Compensation dispute. As Howard has not briefed any issue relevant to the denial of Rule 60(b) relief, he has abandoned the only issue that is properly before the court. Yohey v. Collins, 985 F.2d 222, 224-25 (5th Cir. 1993); FED. R. APP. P. 28(a)(9)(A). The appeal is without

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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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

arguable merit and thus frivolous. Howard v. King, 707 F.2d 215, 219-20 (5th Cir. 1983). Because the appeal is frivolous, it is DISMISSED. 5TH CIR. R. 42.2.

APPEAL DISMISSED.