

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 02-41171
Conference Calendar

THOMAS CIPRIANO,

Petitioner-Appellant,

versus

R. MILES, Warden,

Respondent-Appellee.

Appeal from the United States District Court
for the Eastern District of Texas
USDC No. 1:02-CV-501

February 19, 2003

Before WIENER, EMILIO M. GARZA, and CLEMENT, Circuit Judges.

PER CURIAM:*

In 1992, Thomas Cipriano, federal prisoner # 23148-034, was convicted by a jury of conspiracy to possess with intent to distribute and attempt to possess with intent to distribute cocaine and was sentenced to life imprisonment. The district court dismissed his 28 U.S.C. § 2241 petition, determining that Cipriano had not satisfied the criteria to support his claims under the savings clause of 28 U.S.C. § 2255.

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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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

Cipriano's brief does not address the district court's conclusion that he did not meet the criteria for raising his claims in this 28 U.S.C. § 2241 petition pursuant to the savings clause of 28 U.S.C. § 2255. Thus, he has abandoned the only issue on appeal by failing to brief it. Brinkmann v. Dallas County Deputy Sheriff Abner, 813 F.2d 744, 748 (5th Cir. 1987).

The district court's dismissal of Cipriano's 28 U.S.C. § 2241 petition is AFFIRMED.