

FILED

June 23, 2004

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

Charles R. Fulbruge III
Clerk

No. 04-30055
Conference Calendar

MACK HENRY RICHARDSON,

Plaintiff-Appellant,

versus

FEDERAL BUREAU OF INVESTIGATION,

Defendant-Appellee.

Appeal from the United States District Court
for the Western District of Louisiana
USDC No. 03-CV-743

Before BARKSDALE, DeMOSS, and CLEMENT, Circuit Judges.

PER CURIAM:*

Mack Henry Richardson appeals from the district court's dismissal, on grounds of res judicata, of his action against the Federal Bureau of Investigation (FBI). Richardson argues that his 1973 conviction does not prohibit him from owning a firearm and that he has a cause of action against the FBI under 5 U.S.C. § 552a(g)(1). Richardson also argues that the district court should have admitted his "penitentiary packet" into evidence.

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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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

Richardson's brief contains no argument that the district court erred in dismissing his action as barred by the doctrine of res judicata. "Failure to provide any legal or factual analysis of an issue results in waiver." American States Ins. Co. v. Bailey, 133 F.3d 363, 372 (5th Cir. 1998). Although this court liberally construes briefs of pro se litigants under Haines v. Kerner, 404 U.S. 519, 520-21 (1972), pro se parties must still brief their issues. See Grant v. Cuellar, 59 F.3d 523, 524 (5th Cir. 1995).

Because Richardson has failed to argue the only issue arguably on appeal, the appeal is frivolous and must be DISMISSED as such. See 5TH CIR. R. 42.2. Richardson is WARNED that the filing of future frivolous appeals may result in sanctions.

APPEAL DISMISSED AS FRIVOLOUS; SANCTIONS WARNING ISSUED.