

**FILED**

June 22, 2004

IN THE UNITED STATES COURT OF APPEALS  
FOR THE FIFTH CIRCUIT

Charles R. Fulbruge III  
Clerk

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No. 04-40119  
Conference Calendar

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NATHANIEL KEITH SINGLETON,

Plaintiff-Appellant,

versus

NFN SANDERS, Commissary Manager,

Defendant-Appellee.

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Appeal from the United States District Court  
for the Southern District of Texas  
USDC No. G-02-CV-839  
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Before BARKSDALE, DeMOSS, and CLEMENT, Circuit Judges.

PER CURIAM:\*

Nathaniel Keith Singleton, Texas prisoner # 716045, has filed a motion captioned "Motion to reply with brief in support" following the district court's order dismissing as frivolous Singleton's 42 U.S.C. § 1983 civil rights action. Singleton's motion is construed as a motion for leave to proceed on appeal in forma pauperis ("IFP"). By moving for IFP, Singleton is challenging the district court's certification that IFP status should not be granted because the appeal is not taken in good

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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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

faith. See Baugh v. Taylor, 117 F.3d 197, 202 (5th Cir. 1997). Singleton's IFP "motion must be directed solely to the trial court's reasons for the certification decision." Id.

Singleton asserts only that the district court was wrong for denying him IFP. Although this court liberally construes pro se briefs, see Haines v. Kerner, 404 U.S. 519, 520-21 (1972), the court requires arguments to be briefed in order to be preserved. Yohey v. Collins, 985 F.2d 222, 225 (5th Cir. 1993). Because Singleton does not provide any analysis of the reasons for the district court's certification decision, he has abandoned the issue on appeal. See id.

Singleton has not shown that the district court erred in certifying that an appeal would not be taken in good faith. Accordingly, we uphold the district court's order certifying that the appeal presents no nonfrivolous issues. Singleton's request for IFP status is DENIED, and his appeal is DISMISSED as frivolous. See Baugh, 117 F.3d at 202 n.24; 5TH CIR. R. 42.2.

Singleton is cautioned that the district court's dismissal of his complaint as frivolous and this court's dismissal of his appeal count as two strikes under 28 U.S.C. § 1915(g). See Adepegba v. Hammons, 103 F.3d 383, 385-87 (5th Cir. 1996). If Singleton accrues three strikes, he will not be able to proceed IFP in any civil action or appeal filed while he is incarcerated or detained in any facility unless he is under imminent danger of serious physical injury. See 28 U.S.C. § 1915(g).

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IFP MOTION DENIED; APPEAL DISMISSED; SANCTIONS WARNING  
ISSUED.