

IN THE UNITED STATES COURT OF APPEALS  
FOR THE FIFTH CIRCUIT

United States Court of Appeals  
Fifth Circuit

**FILED**

October 2, 2007

\_\_\_\_\_  
No. 06-11130  
Summary Calendar  
\_\_\_\_\_

Charles R. Fulbruge III  
Clerk

EDDIE LEE GOODEN, JR.

Petitioner-Appellant

v.

NATHANIEL QUARTERMAN, DIRECTOR, TEXAS DEPARTMENT OF  
CRIMINAL JUSTICE, CORRECTIONAL INSTITUTIONS DIVISION

Respondent-Appellee

\_\_\_\_\_  
Appeal from the United States District Court  
for the Northern District of Texas  
USDC No. 7:05-CV-221  
\_\_\_\_\_

Before REAVLEY, SMITH, and BARKSDALE, Circuit Judges.

PER CURIAM:\*

Eddie Lee Gooden, Jr., Texas prisoner # 588165, appeals his preliminary-injunction motion's being denied because he failed to provide notice to the Respondent, as required by federal and local rules. Gooden's preliminary-injunction motion, related to the issues raised in his pending 28 U.S.C. § 2241 petition, in district court, is immediately appealable. 28 U.S.C. § 1292(a)(1); *Lakedreams v. Taylor*, 932 F.2d 1103, 1107 (5th Cir. 1991). Nevertheless,

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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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

because Gooden has failed to address the basis for the district court's denial, he has waived its review. E.g., *Brinkmann v. Dallas County Deputy Sheriff Abner*, 813 F.2d 744, 748 (5th Cir. 1987).

AFFIRMED.