

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

United States Court of Appeals
Fifth Circuit

FILED

June 19, 2008

No. 07-40691
Conference Calendar

Charles R. Fulbruge III
Clerk

THOMAS CIPRANO

Petitioner-Appellant

v.

T C OUTLAW

Respondent-Appellee

Appeal from the United States District Court
for the Eastern District of Texas
USDC No. 1:07-CV-101

Before JONES, Chief Judge, and JOLLY and DENNIS, Circuit Judges.

PER CURIAM:*

Thomas Ciprano, federal prisoner # 23148-034, appeals the district court's dismissal of his 28 U.S.C. § 2241 petition challenging his life sentence as a career offender following his 1992 conviction on drug-trafficking charges. He renews his claim that he was improperly sentenced and asserts that a fundamental miscarriage of justice will result from the failure to consider the merits of his claim. However, even if his brief is liberally construed, Ciprano makes no argument that the district court erred in determining that he did not

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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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

meet the criteria for raising his claims in this § 2241 petition pursuant to the savings clause of 28 U.S.C. § 2255(e). He has thus abandoned the only issue on appeal by failing to brief it. See *Yohey v. Collins*, 985 F.2d 222, 225 (5th Cir. 1993).

The appeal is without arguable merit, see *Howard v. King*, 707 F.2d 215, 219-20 (5th Cir. 1983), and is dismissed as frivolous. See 5TH CIR. R. 42.2. The instant petition and appeal are continuations of Ciprano's repetitious filings in an attempt to circumvent the requirements for filing a successive § 2255 motion. Ciprano is warned that any future frivolous or repetitive filings will subject him to sanctions.

APPEAL DISMISSED; SANCTION WARNING ISSUED.