

IN THE UNITED STATES COURT OF APPEALS  
FOR THE FIFTH CIRCUIT

United States Court of Appeals  
Fifth Circuit

**FILED**

December 23, 2008

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No. 08-10242  
Summary Calendar

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Charles R. Fulbruge III  
Clerk

BENNIE L. COLLINS,

Plaintiff-Appellant,

v.

LUBBOCK POLICE DEPARTMENT,

Defendant-Appellee.

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Appeal from the United States District Court  
for the Northern District of Texas  
No. 5:05-CV-124

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Before SMITH, STEWART, and SOUTHWICK, Circuit Judges.

PER CURIAM:\*

Bennie Collins appeals the dismissal of his 42 U.S.C. § 1983 claims against the Lubbock Police Department ("LPD"). He alleges that LPD officers took

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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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

\$6,335 from him when they pulled him over for a traffic violation and arrested him for possession of a switchblade.

Collins has failed to raise, as an issue on appeal, the primary basis for the dismissal, which is that LPD is not subject to suit under *Darby v. Pasadena Police Dep't*, 939 F.2d 311, 313 (5th Cir. 1991). Although pro se briefs are afforded a liberal construction, even pro se litigants must brief the issues to preserve them. See *Yohey v. Collins*, 985 F.2d 222, 224-25 (5th Cir. 1993). Because Collins has failed to provide any legal or factual analysis of this issue, he has abandoned any challenge to the ruling. See *id.* Accordingly, we do not reach the other issues raised on appeal.

The judgment is AFFIRMED.