

**IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT**

United States Court of Appeals
Fifth Circuit

FILED

May 28, 2013

Lyle W. Cayce
Clerk

No. 12-20562

Summary Calendar

FELICIA JONES,

Plaintiff-Appellant

v.

LOUIS VOUITTON,

Defendant-Appellee

Appeal from the United States District Court
for the Southern District of Texas
USDC No. 4:12-MC-465

Before JONES, DENNIS, and HAYNES, Circuit Judges.

PER CURIAM:*

Felicia Jones has filed a motion for leave to proceed in forma pauperis (IFP) in this appeal of the district court's interlocutory orders denying her motions to proceed IFP and for the appointment of counsel. A movant for leave to proceed IFP on appeal must show that she is a pauper and that the appeal presents a nonfrivolous issue. 28 U.S.C. § 1915(a)(1); *Carson v. Polley*, 689 F.2d 562, 586 (5th Cir. 1982).

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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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

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The financial requirement of poverty to qualify for IFP status does not require absolute destitution. *Adkins v. E.I. Du Pont de Nemours & Co.*, 335 U.S. 331, 339 (1948). The question is whether the movant can afford the costs of litigation without undue hardship or deprivation of life's necessities. *Id.* at 339-40. To make this showing, Jones must file an affidavit listing her assets as required by § 1915(a)(1). *See Haynes v. Scott*, 116 F.3d 137, 139-40 (5th Cir. 1997). Jones has declined to provide to this court complete information regarding her assets. Because Jones has failed to inform this court of all of her assets, *see* § 1915(a)(1), she has not made a showing that she cannot afford to pay the filing fee without the requisite hardship. *See Adkins*, 335 U.S. at 339; *Haynes*, 116 F.3d at 139-40.

Although this court liberally construes pro se briefs, “even pro se litigants must brief arguments in order to preserve them.” *Mapes v. Bishop*, 541 F.3d 582, 584 (5th Cir. 2008) (citing FED. R. APP. P. 28(a)(9); *Yohey v. Collins*, 985 F.2d 222, 224-25 (5th Cir. 1993)). By failing to brief any challenge to the district court's denial of her motion for IFP and motion for appointment of counsel, Jones has “effectively abandoned” those claims. *Mapes*, 541 F.3d at 584.

Jones has not made the requisite showing; therefore, her motion for leave to proceed IFP is DENIED. *See Carson*, 689 F.2d at 586. Because the appeal is without arguable merit, *see Howard v. King*, 707 F.2d 215, 220 (5th Cir. 1983), it is DISMISSED AS FRIVOLOUS. *See* 5TH CIR. R. 42.2.

Jones is WARNED that any future frivolous pleadings filed by her in this court or in any court subject to the jurisdiction of this court will subject her to sanctions. Jones should review any pending matters to ensure that they are not frivolous.