

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

United States Court of Appeals
Fifth Circuit

FILED

February 13, 2014

Lyle W. Cayce
Clerk

13-60583
Summary Calendar

ERNEST MONTGOMERY

Plaintiff - Appellant

v.

WARREN COUNTY; BILLY HIGGINS, Deputy, in individual and official capacity; MICHAEL HOLLINGSWORTH, Deputy, in individual and official capacity; CHRIS SATCHER, Deputy in individual and official capacity,

Defendants - Appellees

Appeal from the United States District Court
for the Southern District of Mississippi
USDC No. 5:11-CV-4

Before WIENER, OWEN, and HAYNES, Circuit Judges.

PER CURIAM:*

Ernest Montgomery appeals the summary judgment in favor of Billy Higgins and Michael Hollingsworth,¹ as well as the denial of his motion for

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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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

¹ Although Montgomery captioned his appeal as including Warren County and Chris Satcher, Satcher was dismissed in the district court by agreement. Montgomery did not brief any argument with respect to Warren County, so we conclude that any such arguments are waived. *Gann v. Fruehauf Corp.*, 52 F.3d 1320, 1328 (5th Cir. 1995) (“Because he has not advanced arguments in the body of his brief in support of his appeal of his other claims,

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reconsideration. We have conducted a de novo review of the district court's ruling in light of the pertinent portions of the record and the parties' briefs. We conclude that the district court did not reversibly err for substantially the same reasons set forth in the court's Memorandum Opinion and Order dated July 14, 2013 and its Order denying Motion for Reconsideration dated August 15, 2013.

AFFIRMED.

[Montgomery] has waived or abandoned these claims.") Finally, although styled as a case against Higgins and Hollingsworth in both their individual and official capacities, the only arguments briefed address potential liability in their individual capacities. Any other arguments are waived. *Id.*