

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

No. 17-40913
Summary Calendar

United States Court of Appeals
Fifth Circuit

FILED

May 11, 2018

Lyle W. Cayce
Clerk

MICHAEL L. MARK,

Plaintiff–Appellant,

versus

LEE ANN SPEARS; KEVIN WHEAT; BALDEN POLK; VICKIE BARROW;
JONATHAN CLARK; GINA BENTLEY; JENNIFER SMITH;
BILLY HORTON; LANETTE LINTHICUM,

Defendants–Appellees.

Appeal from the United States District Court
for the Eastern District of Texas
No. 6:16-CV-1123

Before HIGGINBOTHAM, JONES, and SMITH, Circuit Judges.

PER CURIAM:*

Michael Mark, Texas prisoner #1064829, appeals the dismissal without prejudice of his 42 U.S.C. § 1983 complaint for failure to obey an order and

* 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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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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want of prosecution. In his sole issue on appeal, Mark challenges the severance and partial transfer ordered by the magistrate judge. He also moves for the recusal of the magistrate judge.

Although we apply a less stringent standard to parties proceeding *pro se* than to those represented by counsel, and though we liberally construe the briefs of *pro se* litigants, parties proceeding *pro se* must still brief the issues and reasonably comply with Federal Rule of Appellate Procedure 28. *Grant v. Cuellar*, 59 F.3d 523, 524 (5th Cir. 1995). Because Mark has not challenged the district court's conclusion that his complaint should be dismissed for failure to obey an order and want of prosecution, he has abandoned the only cognizable issue before this court. *See Yohey v. Collins*, 985 F.2d 222, 224–25 (5th Cir. 1993); *Brinkmann v. Dallas Cty. Deputy Sheriff Abner*, 813 F.2d 744, 748 (5th Cir. 1987).

In light of Mark's abandonment of his claim, the dismissal without prejudice is AFFIRMED, and the motion to recuse is DENIED.