

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

\_\_\_\_\_  
No. 17-50576  
\_\_\_\_\_

United States Court of Appeals  
Fifth Circuit

**FILED**

May 16, 2018

Lyle W. Cayce  
Clerk

PRINCELLA V. STEELS,

Plaintiff-Appellant

v.

TEXAS DEPARTMENT OF CRIMINAL JUSTICE; SERGEANT FNU BUSH;  
SERGEANT FNU HATCHER,

Defendants-Appellees

\_\_\_\_\_  
Appeal from the United States District Court  
for the Western District of Texas  
USDC No. 6:16-CV-468  
\_\_\_\_\_

Before DENNIS, SOUTHWICK, and HIGGINSON, Circuit Judges.

PER CURIAM:\*

Princella V. Steels, Texas prisoner # 1926484, moves for leave to proceed in forma pauperis (IFP) on appeal from the dismissal of her 42 U.S.C. § 1983 suit for failure to state a claim. *See* 28 U.S.C. § 1915(e)(2)(B)(ii). Steels challenges the district court's denial of her IFP motion on the ground that her appeal was not taken in good faith. *See* § 1915(a)(3); FED. R. APP. P. 24(a)(3)(A); *Baugh v. Taylor*, 117 F.3d 197, 202 (5th Cir. 1997).

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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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

No. 17-50576

Our inquiry into Steels's good faith "is limited to whether the appeal involves legal points arguable on their merits (and therefore not frivolous)." *Howard v. King*, 707 F.2d 215, 220 (5th Cir. 1983) (internal quotation marks and citations omitted). However, because she fails to identify any error in the district court's analysis, she has abandoned any challenge to the certification decision. *See Yohey v. Collins*, 985 F.2d 222, 225 (5th Cir. 1993) (holding that even pro se litigants must brief arguments to preserve them); *Brinkmann v. Dallas Cnty. Deputy Sheriff Abner*, 813 F.2d 744, 748 (5th Cir. 1987) (holding that failure to identify any error in district court's analysis is same as if litigant had not appealed). Steels has failed to show that her appeal involves any nonfrivolous issues. *See Howard*, 707 F.2d at 220.

Steels's IFP motion is DENIED, and her appeal is DISMISSED AS FRIVOLOUS. *See Baugh*, 117 F.3d at 202 & n.24; 5TH CIR. R. 42.2. Her motions for appointment of counsel, a bench warrant, and referral to small claims court are likewise DENIED.

The district court's dismissal of Steels's complaint for failure to state a claim and our dismissal of her appeal as frivolous each counts as a strike under § 1915(g). *See Coleman v. Tollefson*, 135 S. Ct. 1759, 1763-64 (2015); *Adepegba v. Hammons*, 103 F.3d 383, 387-88 (5th Cir. 1996). Steels is WARNED that, if she accumulates a third strike, she may not proceed IFP in any civil action or file an appeal while she is incarcerated or detained in any facility unless she is in imminent danger of serious physical injury. *See* § 1915(g).