

United States Court of Appeals
for the Fifth Circuit

United States Court of Appeals
Fifth Circuit

FILED

August 11, 2022

Lyle W. Cayce
Clerk

No. 21-10497
Summary Calendar

RAMIRO ORDAZ MELGOZA,

Petitioner—Appellant,

versus

MICHAEL HARDIN, *Warden,*

Respondent—Appellee.

Appeal from the United States District Court
for the Northern District of Texas
USDC No. 1:21-CV-6

Before ELROD, GRAVES, and HO, *Circuit Judges.*

PER CURIAM: *

Ramiro Ordaz Melgoza, federal prisoner # 21461-076, seeks leave to appeal in forma pauperis (IFP) from the district court's dismissal of his 28 U.S.C. § 2241 petition challenging his convictions. He also moves for judicial notice, for an extension of time, and for leave to exceed the appellate

* Pursuant to 5TH CIRCUIT RULE 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIRCUIT RULE 47.5.4.

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brief page limit. The district court denied Melgoza leave to appeal IFP and certified that the appeal was not taken in good faith. *See Baugh v. Taylor*, 117 F.3d 197, 202 (5th Cir. 1997).

Although Melgoza contends that the district court failed to consider three exhibits that were not included in the district court record, the district court ultimately included those exhibits in the record and reviewed them when the court denied his motion to reconsider and determined that the exhibits had no impact on its dismissal of Melgoza's § 2241 petition. Additionally, although Melgoza attempts to incorporate by reference the arguments that he raised in his § 2241 petition, he may not do so. *See Yohey v. Collins*, 985 F.2d 222, 224-25 (5th Cir. 1993). Melgoza's broad and vague remaining arguments do not address any specific arguments considered and rejected by the district court, nor do they otherwise address the basis for the district court's dismissal. Because Melgoza has failed to adequately brief any of these issues, he has abandoned them. *See id.*

In light of the foregoing, Melgoza has not demonstrated a nonfrivolous issue for appeal with respect to the district court's dismissal. *See Howard v. King*, 707 F.2d 215, 220 (5th Cir. 1983). Accordingly, his motion for leave to appeal IFP is DENIED; all other outstanding motions are DENIED; and the appeal is DISMISSED AS FRIVOLOUS. *See Baugh v. Taylor*, 117 F.3d 197, 202 & n.24 (5th Cir. 1997); 5TH CIR. R. 42.2.