

United States Court of Appeals
for the Fifth Circuit

No. 22-50869
Summary Calendar

United States Court of Appeals
Fifth Circuit

FILED

May 5, 2023

Lyle W. Cayce
Clerk

PATRICIA A. GRANT, *PH.D.*,

Plaintiff—Appellant,

versus

TEXAS STATE ATTORNEY GENERAL OPEN GOVERNMENT RECORDS, AND CONSUMER PROTECTION DIVISION; TEXAS HEALTH AND HUMAN SERVICE COMMISSION; DEPARTMENT OF AGING AND DISABILITY SERVICES, OFFICE OF THE LONG-TERM CARE OMBUDSMAN PROGRAM OPEN RECORDS DIVISION; PATRICIA DUCAYET; THERESA THOMSON; CYNTHIA BOYUM; BEXAR COUNTY AREA AGENCY ON AGING, *Ombudsman* PROGRAM; TX DEPARTMENT OF FAMILY PROTECTIVE SERVICES, ADULT PROTECTIVE SERVICES; SANDRA MARTINEZ; CORYELL COUNTY MEMORIAL HOSPITAL, *also known as* CORYELL HEALTH; DAVID K. BYROM; REGENT MANAGEMENT SERVICES L.P.; CHARLES D. MILOS, JR.; STEVEN E. CONNER; REGENT CARE CENTER OF SAN ANTONIO II, L.P.; REGENT CARE GENERAL PARTNER INCORPORATED; REGENT CARE OPERATIONS GENERAL PARTNER INCORPORATED; REGENT CARE CENTER OF SAN ANTONIO; REGENT CARE CENTER OF OAKWELL FARMS, *also known as* REGENT CARE CENTER OF SAN ANTONIO II LIMITED PARTNERSHIP, *also known as* REGENT CARE CENTER OF OAKWELL FARMS; ROBERT KERR; DEBORAH SEABRON; STANLEY GRANT; HAROLD GRANT; TERRY LUNA; BERTHA L. FRANKLIN; DISCOVERABLE OTHERS; REGENT CARE CENTER OAKWELL FARMS,

Defendants—Appellees.

Appeal from the United States District Court
for the Western District of Texas
USDC No. 5:21-CV-761

Before KING, JONES, and SMITH, *Circuit Judges.*

PER CURIAM:*

Patricia A. Grant, proceeding pro se, moves for leave to proceed in forma pauperis (IFP) in this appeal of the sua sponte dismissal of her case. The motion is a challenge to the district court's certification that the appeal is not taken in good faith. *See Baugh v. Taylor*, 117 F.3d 197, 202 (5th Cir. 1997).

Grant fails to address the district court's reasons for the dismissal of her complaint as frivolous and malicious and for failure to state a claim. Pro se briefs are afforded liberal construction. *See Yohey v. Collins*, 985 F.2d 222, 225 (5th Cir. 1993). Nevertheless, when an appellant fails to identify any error in the district court's analysis, it is the same as if the appellant had not appealed the decision. *Brinkmann v. Dallas Cnty. Deputy Sheriff Abner*, 813 F.2d 744, 748 (5th Cir. 1987).

Because Grant has failed to challenge any factual or legal aspect of the district court's disposition of her claims or the certification that her appeal is not taken in good faith, she has abandoned the critical issue of her appeal. *See id.* Thus, the appeal lacks arguable merit. *See Howard v. King*, 707 F.2d 215, 220 (5th Cir. 1983). Accordingly, the motion for leave to proceed IFP is DENIED, and the APPEAL IS DISMISSED as frivolous. *See Baugh*, 117 F.3d at 202 n.24; 5TH CIR. R. 42.2. Grant is WARNED that filing

* This opinion is not designated for publication. *See* 5TH CIR. R. 47.5.

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further frivolous appeals will subject her to sanctions. *See* FED. R. APP. P. 38; *Clark v. Green*, 814 F.2d 221, 223 (5th Cir. 1987).