

IN THE UNITED STATES COURT OF APPEALS  
FOR THE FIFTH CIRCUIT

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No. 93-8711  
Conference Calendar

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DOUGLAS COUPAR,

Plaintiff-Appellant,

versus

CARLOS ORTIZ,

Defendant-Appellee.

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Appeal from the United States District Court  
for the Western District of Texas  
USDC No. EP-92-CA-273-B

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(September 23, 1994)

Before KING, SMITH, and BENAVIDES, Circuit Judges.

PER CURIAM:\*

Douglas Coupar challenges the district court's grant of summary judgment for the defendants on only two grounds: 1) the alleged improper use of the heightened pleading standard of Elliott v. Perez, 751 F.2d 1472 (5th Cir. 1985) (applying heightened pleading standard in the context of a qualified immunity defense), and 2) the alleged denial of discovery. Coupar's argument regarding the heightened pleading standard is without a factual foundation because the district court did not use a heightened pleading standard. Consequently, Coupar did

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\* Local Rule 47.5 provides: "The publication of opinions that have no precedential value and merely decide particular cases on the basis of well-settled principles of law imposes needless expense on the public and burdens on the legal profession." Pursuant to that Rule, the Court has determined that this opinion should not be published.

not address the proper issue on appeal. See Brinkmann v. Abner, 813 F.2d 744, 748 (5th Cir. 1987).

To the extent that Coupar's argument is construed liberally to challenge an alleged denial of discovery by the district court, he does not cite any authorities to support his argument.

"Although [the Court] liberally construe[s] the briefs of pro se appellants, [the Court] also require[s] that arguments must be briefed to be preserved." Price v. Digital Equip. Corp., 846 F.2d 1026, 1028 (5th Cir. 1988) (citation omitted). Even if the appellant is pro se, claims not adequately argued in the body of the brief are abandoned on appeal. Yohey v. Collins, 985 F.2d 222, 224-25 (5th Cir. 1993). An appellant's argument must contain the reasons he deserves the requested relief "with citation to the authorities, statutes and parts of the record relied on." Id. at 225 (quoting Fed. R. App. P. 28(a)(4)). Coupar does not meet the above criterion.

Coupar's appeal is DISMISSED as frivolous. See 5th Cir. R. 42.2.