

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 96-41120
Conference Calendar

DANIEL LEE MILLER,

Plaintiff-Appellant,

versus

VICKI BLANTON, KELLY RUTH PUGH,
ROSE MARY GARDNER, LISA CLEMENS,

Defendants-Appellees.

- - - - -
Appeal from the United States District Court
for the Eastern District of Texas
USDC No. 6:94-CV-881
- - - - -

October 23, 1997

Before POLITZ, Chief Judge, and WIENER and DENNIS, Circuit Judges

PER CURIAM:*

Daniel Lee Miller appeals the summary-judgment dismissal of his pro se civil rights lawsuit pursuant to 42 U.S.C. § 1983. Giving Miller's brief the liberal construction due pro se pleadings,** the only challenge it presents to the district

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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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

** See Haines v. Kerner, 404 U.S. 519, 520 (1972). Nevertheless, even pro se litigants must brief arguments in order to preserve them. Yohey v. Collins, 985 F.2d 222, 224-25 (5th Cir. 1993); Fed. R. App. P. 28(a). Contentions not adequately argued in the body of the brief are deemed abandoned. See id.

court's conclusions are those regarding his claims against Blanton. However, Blanton is deceased, and Miller has taken no steps to have the appropriate representative of Blanton's estate substituted into these proceedings. Accordingly, the appeal is DISMISSED. Gamble v. Thomas, 655 F.2d 568, 569 (5th Cir. 1981); Fed. R. App. P. 43(a).

Miller has also filed a motion for oral argument. Because the appeal is dismissed, the motion is DENIED.

APPEAL DISMISSED.