

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 99-20657
USDC No. H-99-CV-1567

RAYFIELD JOSEPH THIBEAUX,

Plaintiff-Appellant,

versus

EARNESTINE JACKSON; ALPHONSE HANDY;
DOCTOR SUHR; HERMAN STEVENSON,

Defendants-Appellees.

Appeal from the United States District Court
for the Southern District of Texas

December 28, 1999

Before JOLLY, JONES, and SMITH, Circuit Judges.

PER CURIAM ¹:

Rayfield Joseph Thibeaux (TDCJ # 479532) moves for leave to appeal, in forma pauperis (IFP), the district court's dismissal of his civil rights complaint based on his accrual of three "strikes" within the meaning of 28 U.S.C. § 1915(g).

Although this court liberally construes briefs of pro se litigants, arguments must be briefed to be preserved. Yohey v. Collins, 985 F.2d 222, 225 (5th Cir. 1993). Issues not briefed are deemed abandoned. Evans v. City of Marlin, Tex., 986 F.2d

¹ 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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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.

104, 106 n.1 (5th Cir. 1993). Because Thibeaux makes no argument concerning the court's determination that he has three strikes, this court will not address the issue. See Yohey, 985 F.2d at 225. Insofar as he suggests that he should nevertheless be allowed to proceed because he is faced with danger of serious physical injury that imminent, Thibeaux fails to make the showing required by § 1915(g). See Baños v. O'Guin, 144 F.3d 883, 884-85 (5th Cir. 1998). Accordingly, Thibeaux's motion for IFP is DENIED and the appeal is DISMISSED as frivolous. See Baugh v. Taylor, 117 F.3d 197, 202 (5th Cir. 1997). Thibeaux's motions for restraining orders also are DENIED.

ALL OUTSTANDING MOTIONS DENIED. APPEAL DISMISSED.