

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 99-20798
Conference Calendar

HENRY LEE SANDERS,

Plaintiff-Appellant,

versus

J. MICHAEL WILKINSON; DEREK A. ADAME; ALLEN GUITRY,

Defendants-Appellees.

Appeal from the United States District Court
for the Southern District of Texas
USDC No. H-98-CV-336

February 16, 2000

Before EMILIO M. GARZA, BENAVIDES, and DENNIS, Circuit Judges.

PER CURIAM:*

Henry Lee Sanders, Texas prisoner # 666939, appeals the district court's dismissal, pursuant to 28 U.S.C. § 1915(e)(2)(B), of his 42 U.S.C. § 1983 lawsuit seeking both damages and release from prison. The district court determined that Sanders' damages claims were barred by Heck v. Humphrey** and that, to the extent he sought release from custody, he must first pursue habeas relief.

In his appellate brief, Sanders renews the claims raised in

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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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

** 512 U.S. 477 (1994).

the lawsuit but does not brief any argument regarding the district court's dismissal or the reasons given therefor. Because he fails to brief any argument that the district court erred in dismissing his case, he has waived the sole ground for appeal. See Yohey v. Collins, 985 F.2d 222, 224-25 (5th Cir. 1993).

Sanders' appeal is without arguable merit and is therefore DISMISSED. See Howard v. King, 707 F.2d 215, 219-20 (5th Cir. 1983); 5TH CIR. R. 42.2. His "Motion of Transfer" is DENIED.

APPEAL DISMISSED; MOTION DENIED.