

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 99-41067
Conference Calendar

TERRY ANTHONY SMITH,

Petitioner-Appellant,

versus

UNITED STATES OF AMERICA,

Respondent-Appellee.

Appeal from the United States District Court
for the Eastern District of Texas
USDC No. 1:99-CV-434

April 12, 2000

Before WIENER, DeMOSS, and PARKER, Circuit Judges.

PER CURIAM:*

Terry Anthony Smith, federal inmate #04120-078, appeals the district court's dismissal of his 28 U.S.C. § 2241 petition for failure to exhaust administrative remedies. Smith's motion for appointment of counsel is DENIED.

Smith has not identified any error in the district court's analysis. Rule 28(a)(9), Fed. R. App. P., "requires that the appellant's argument contain the reasons he deserves the requested relief with citation to the authorities, statutes and parts of the record relied on." *Yohey v. Collins*, 985 F.2d 222,

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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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

225 (5th Cir. 1993) (internal quotation omitted). Because Smith does not address the district court's reasons for dismissing his § 2241 petition, he has abandoned the only issue on appeal. See *Brinkmann v. Dallas County Deputy Sheriff Abner*, 813 F.2d 744, 748 (5th Cir. 1987); *Yohey*, 985 F.2d at 224-25.

AFFIRMED; MOTION DENIED.