

UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 99-60901
Summary Calendar

TOMMY LEE NELSON,

Plaintiff-Appellant,

versus

UNITED STATES OF AMERICA; DEPARTMENT OF
VETERANS AFFAIRS; DEPARTMENT OF THE ARMY,

Defendants-Appellees.

Appeal from the United States District Court
for the Southern District of Mississippi
(3:99-CV-6-WS)

September 15, 2000

Before HIGGINBOTHAM, WIENER, and BARKSDALE, Circuit Judges.

PER CURIAM:*

Tommy Lee Nelson appeals, *pro se*, from the dismissal, pursuant to FED. R. CIV. P. 8(a) and 12(b)(6), of his complaint. Nelson does not maintain that the district court erroneously found his complaint deficient under the Federal Rules of Civil Procedure. Instead, he simply repeats some of the allegations from his complaint. (The same document that fails to satisfy Rule 8(a).) Although Nelson's *pro se* brief is accorded liberal construction, "arguments must be briefed to be preserved". *Yohey v. Collins*, 985

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 R. 47.5, the Court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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

F.2d 222, 225 (5th Cir. 1993) (quoting **Price v. Digital Equip. Corp.**, 846 F.2d 1026, 1028 (5th Cir. 1988)). Nelson fails to do so. **Id.** at 224-25.

Nelson does raise one issue: whether the magistrate judge erred by denying his motion for appointment of counsel. We find, however, that Nelson failed to make a showing of the exceptional circumstances necessary for such appointment. See **Jackson v. Dallas Police Dep't**, 811 F.2d 260, 261-62 (5th Cir. 1986).

AFFIRMED