

April 14, 2003

Charles R. Fulbruge III
Clerk

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 02-10907
Summary Calendar

UNITED STATES OF AMERICA,

Plaintiff-Appellee,

versus

LEWIS HENRY ANTHONY,

Defendant-Appellant.

Appeal from the United States District Court
for the Northern District of Texas
USDC No. 4:00-CR-117-2

Before HIGGINBOTHAM, SMITH, and CLEMENT, Circuit Judges.

PER CURIAM:*

Henry Lewis Anthony, convicted of several counts related to a mail and check fraud scheme, petitioned the district court seeking modification of the imposition of restitution. The district court denied his request because he failed to provide a proper basis for relief under FED. R. CRIM. P. Rule 35.

Anthony here appeals the action of the district court. He has not, however, challenged the basis for the district court's denial of his claims. Consequently, he has abandoned any

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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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

argument on this issue. See *Brinkmann v. Dallas County Deputy Sheriff Abner*, 813 F.2d 744, 748 (5th Cir. 1987). The judgment of the district court is AFFIRMED. All outstanding motions are DENIED.