

United States Court of Appeals
for the Fifth Circuit

United States Court of Appeals
Fifth Circuit

FILED

October 13, 2021

Lyle W. Cayce
Clerk

No. 20-40345
Summary Calendar

ESAW LAMPKIN,

Petitioner—Appellant,

versus

BOBBY LUMPKIN, *Director, Texas Department of Criminal Justice,
Correctional Institutions Division,*

Respondent—Appellee.

Appeal from the United States District Court
for the Eastern District of Texas
USDC No. 6:16-CV-1028

Before JOLLY, WILLETT, and ENGELHARDT, *Circuit Judges.*

PER CURIAM:*

Esaw Lampkin, Texas prisoner # 1912325, filed a notice of appeal following the district court's dismissal of his motion for injunctive relief, filed three years after the denial of his original 28 U.S.C. § 2254 habeas petition.

* Pursuant to 5TH CIRCUIT RULE 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIRCUIT RULE 47.5.4.

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He also urges this court to order the Texas Department of Criminal Justice to give him access to his trial record.

In his opening and reply briefs, Lampkin asserts that he is entitled to federal habeas relief. He does not address the district court's denial of his motion for injunctive relief.

Lampkin's failure to adequately brief any challenge to the district court's denial of injunctive relief is the same as if he had not appealed the district court's decision at all. *Brinkmann v. Dallas Cty. Deputy Sheriff Abner*, 813 F.2d 744, 748 (5th Cir. 1987) (holding an appellant abandons a claim on appeal when he fails to identify any error in the district court's analysis). Further, we would lack jurisdiction to consider a third, untimely appeal of the denial of habeas relief. Lampkin's appeal is frivolous.

AFFIRM; MOTION DENIED.