

United States Court of Appeals
for the Fifth Circuit

United States Court of Appeals
Fifth Circuit

FILED

June 30, 2022

Lyle W. Cayce
Clerk

No. 21-30140
Summary Calendar

KEITH SMEATON,

Plaintiff—Appellant,

versus

ALAN NELSON; RON SANDERS; WARDEN FEDERAL DETENTION
CENTER OAKDALE; WILLIAM H. FURNIA; DAVID WESTBERG;
EDWARD MOSS; CHARLES A. WEIGAND, III; H. S. OTT; DAVID
JOHNSTON; THOMAS HETRICK; NORMAN CARLSON; FOY;
STEVEN MARTIN; JOSEPH WILLIAMS; UNITED STATES
IMMIGRATION AND CUSTOMS ENFORCEMENT,

Defendants—Appellees.

Appeal from the United States District Court
for the Western District of Louisiana
USDC No. 2:86-CV-3333

Before HIGGINBOTHAM, HIGGINSON, and DUNCAN, *Circuit Judges.*

PER CURIAM:*

* Pursuant to 5TH CIRCUIT RULE 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIRCUIT RULE 47.5.4.

No. 21-30140

Keith Smeaton, former federal prisoner # 75242-011, and a native and citizen of the United Kingdom, seeks review of the district court's January 22, 2021 denial of his "motion for reconsideration." This motion concerned Smeaton's objection to the entry on the district court docket sheet of our December 15, 2020 order dismissing one of Smeaton's prior appeals for want of prosecution based on his failure to timely file a brief.

Smeaton's appellate briefing is nothing more than an attempt to challenge the district court's April 2020 denial of postjudgment relief and to reargue the merits of his civil rights claims. While pro se briefs are liberally construed, *see Haines v. Kerner*, 404 U.S. 519, 520 (1972), even pro se litigants must brief arguments in order to preserve them, *Yohey v. Collins*, 985 F.2d 222, 224-25 (5th Cir. 1993). Smeaton's failure to address the district court's basis for denial of his motion for reconsideration, "without even the slightest identification of any error in [the court's] legal analysis or its application to [his] suit . . . is the same as if he had not appealed that" order. *Brinkmann v. Dallas Cnty. Deputy Sheriff Abner*, 813 F.2d 744, 748 (5th Cir. 1987). Consequently, he has abandoned any challenge to the district court's ruling. *See id.*

Accordingly, the order of the district court is AFFIRMED. Smeaton's motion for appointment of counsel on appeal is DENIED.