

United States Court of Appeals for the Fifth Circuit

No. 25-10953
Summary Calendar

United States Court of Appeals
Fifth Circuit

FILED

August 21, 2026

Lyle W. Cayce
Clerk

UNITED STATES OF AMERICA,

Plaintiff—Appellee,

versus

WILLIAM MORRIS RISBY,

Defendant—Appellant.

Appeal from the United States District Court
for the Northern District of Texas
USDC No. 3:23-CR-99-1

Before ELROD, *Chief Judge*, and RICHMAN and DUNCAN, *Circuit Judges*.

PER CURIAM:*

William Morris Risby, federal prisoner # 31495-077, moves for leave to proceed in forma pauperis (IFP) in this appeal of the district court's order denying his Sworn Affidavit and Petition to Dismiss and for Immediate Release for Lack of Jurisdiction under Federal Rule of Criminal Procedure 12(b)(2). The motion is a challenge to the district court's certification that

* This opinion is not designated for publication. See 5TH CIR. R. 47.5.

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the appeal is not taken in good faith. *See Baugh v. Taylor*, 117 F.3d 197, 202 (5th Cir. 1997).

Risby fails to address meaningfully the district court's reasons for the denial of his motion. Pro se briefs are afforded liberal construction. *See Yohey v. Collins*, 985 F.2d 222, 225 (5th Cir. 1993). Nevertheless, when an appellant fails to identify any error in the district court's analysis, it is the same as if the appellant had not appealed the decision. *Brinkmann v. Dallas Cnty. Deputy Sheriff Abner*, 813 F.2d 744, 748 (5th Cir. 1987).

Because Risby has failed to meaningfully challenge any factual or legal aspect of the district court's denial of his motion, he has abandoned the critical issue of his appeal. *See id.* Thus, the appeal lacks arguable merit. *See Howard v. King*, 707 F.2d 215, 220 (5th Cir. 1983). Accordingly, the motion for leave to proceed IFP is DENIED, and the appeal is DISMISSED as frivolous. *See Baugh*, 117 F.3d at 202 n.24; 5TH CIR. R. 42.2. Risby's motion to disqualify the magistrate judge and district court judge and motion for bond pending appeal are also DENIED.