

United States Court of Appeals for the Fifth Circuit

No. 25-40385
Summary Calendar

United States Court of Appeals
Fifth Circuit

FILED

September 15, 2026

Lyle W. Cayce
Clerk

OLAMIDE OLATAYO BELLO,

Plaintiff—Appellant,

versus

UNITED STATES OF AMERICA,

Defendant—Appellee.

Appeal from the United States District Court
for the Eastern District of Texas
USDC No. 4:25-CV-536

Before JONES, HO, and ENGELHARDT, *Circuit Judges*.

PER CURIAM:*

Olamide Olatayo Bello, federal prisoner # 65100-510, moves for leave to proceed in forma pauperis (IFP) in this appeal of the district court's denial of his petition for writ of mandamus under 28 U.S.C. § 1361. The motion is a challenge to the district court's certification that the appeal is not taken in good faith. *See Baugh v. Taylor*, 117 F.3d 197, 202 (5th Cir. 1997).

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

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Bello fails to meaningfully address and challenge the district court's reasons for the denial of his mandamus petition. While pro se briefs are afforded liberal construction, *see Yohey v. Collins*, 985 F.2d 222, 225 (5th Cir. 1993), 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 County Deputy Sheriff Abner*, 813 F.2d 744, 748 (5th Cir. 1987). Bello has abandoned the critical issue of his appeal by failing to brief it. *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. Bello's motion to waive the trust account requirement or fee is DENIED as moot.

Based on Bello's filing history in this court, he is WARNED that the future filing of repetitive or frivolous pleadings in this court may result in the imposition of sanctions including dismissal, monetary sanctions, and restrictions on his ability to file pleadings in this court and any court subject to this court's jurisdiction.