

[DO NOT PUBLISH]

IN THE UNITED STATES COURT OF APPEALS

FOR THE ELEVENTH CIRCUIT

No. 05-14441

FILED
U.S. COURT OF APPEALS
ELEVENTH CIRCUIT
June 8, 2006
THOMAS K. KAHN
CLERK

D. C. Docket No. 05-60524-CV-WPD

ROBERT L. WHITE, Trustee of
The CMM Trust No. 1400 trustee,

Plaintiff-Appellant,

versus

ROBERT PAUL HARDY,
ROBERT S. HARDY,

Defendants-Appellees.

Appeal from the United States District Court
for the Southern District of Florida

(June 8, 2006)

Before BLACK and PRYOR, Circuit Judges, and CONWAY*, District Judge.

PER CURIAM:

* Honorable Anne C. Conway, United States District Judge for the Middle District of Florida, sitting by designation.

On July 15, 2005, the district court granted Appellees' Rule 12(b) motion to dismiss Appellant's complaint for declaratory judgment and injunctive relief, holding it lacked subject matter jurisdiction under 46 U.S.C. § 31325(b)(1), 28 U.S.C. § 1331, and 28 U.S.C. § 1333. In the "Argument" section of Appellant's initial brief, he fails to (1) cite §§ 31325(b)(1),² 1331, and 1333; (2) cite a single case addressing the application of these statutes; or (3) explain how these statutes serve as a basis for subject matter jurisdiction. Under Federal Rule of Appellate Procedure 28(a)(9)(A) and our precedent, therefore, Appellant abandoned the relevant arguments he could have raised against the district court's holding. *See* Fed. R. App. P. 28(a)(9)(A); *Doe v. Moore*, 410 F.3d 1337, 1349 n.10 (11th Cir. 2005). Furthermore, even if Appellant had followed Rule 28(a)(9)(A), we would still hold §§ 31325(b)(1), 1331, and 1333 do not provide the federal courts subject matter jurisdiction over this case.

AFFIRMED.

² Although Appellant discusses § 31325(b)(1) on page 16 of his initial brief, he does so in the context of explaining how the district court had subject matter jurisdiction over his May 15, 2005, foreclosure proceeding; he does not, however, explain how § 31325(b)(1) provides the district court subject matter jurisdiction over this case.