Cathy Toole v. James Peak, et al

Doc. 920100120

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT United States Court

United States Court of Appeals Fifth Circuit

FILEDJanuary 19, 2010

No. 09-60446 Summary Calendar

Charles R. Fulbruge III
Clerk

CATHY TOOLE,

Plaintiff-Appellant,

v.

JAMES B. PEAK; HENRY PAULSON; PETE GEREN; JOE ADAIR; CHEVIS C. SWETMAN; R. L. HINDMAN; DAVID L. QUINN; RICHARD A. DALEY,

Defendants-Appellees.

Appeal from the United States District Court for the Southern District of Mississippi USDC No. 1:08-CV-1481

Before GARZA, CLEMENT, and OWEN, Circuit Judges. PER CURIAM:*

Cathy Toole has filed a pro se complaint against various officials of the United States Government alleging that the Veterans Administration owes her \$7,000,000 in benefits related to her late husband's military service. She also lists Chevis C. Swetman, President of the Peoples Bank, as a defendant. The district court dismissed the entire complaint without prejudice for lack of jurisdiction.

 $^{^*}$ Pursuant to 5th Cir. R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5th Cir. R. 47.5.4.

On appeal, Toole simply reurges her argument that the Government owes her \$7,000,000 plus interest related to her late husband's veteran's benefits. Although this court applies less stringent standards to parties proceeding pro se than to parties represented by counsel and liberally construes the briefs of pro se litigants, a pro se appellant still must actually argue something that is susceptible of liberal construction. *Grant v. Cuellar*, 59 F.3d 523, 524 (5th Cir. 1995). Claims not adequately argued in the body of the brief are deemed abandoned on appeal. *Yohey v. Collins*, 985 F.2d 222, 224-25 (5th Cir. 1993). Because Toole has not addressed the district court's reasons for dismissing her action, she has waived the only issues significant to her appeal. *See Grant*, 59 F.3d at 525. The judgment of the district court is AFFIRMED.