

**IN THE UNITED STATES COURT OF APPEALS  
FOR THE FIFTH CIRCUIT**

United States Court of Appeals  
Fifth Circuit

**FILED**

August 19, 2011

Lyle W. Cayce  
Clerk

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No. 10-31042  
Summary Calendar

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JAMES S. FELKNOR,

Plaintiff-Appellant

v.

ROBERT HENRY FELKNOR; ELLA GRACE FELKNOR HARDY; BEVERLY  
INEZE BRANDON,

Defendants-Appellees

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Appeal from the United States District Court  
for the Western District of Louisiana  
USDC No. 3:10-CV-1259

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Before BENAVIDES, STEWART, and CLEMENT, Circuit Judges.

PER CURIAM:\*

James Samuel Felknor appeals the dismissal of his 28 U.S.C. § 1332 complaint for lack of jurisdiction. In addition to his brief, Felknor has filed 20 motions before this court seeking: the appointment of counsel; to add, supplement, reinstate, and serve various defendants; to vacate state court proceedings; and to expunge his criminal record.

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\* 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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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.

## No. 10-31042

Felknor's brief does not address the merits of the district court's order dismissing the complaint. 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 that issue. *Brinkmann v. Dallas County Deputy Sheriff Abner*, 813 F.2d 744, 748 (5th Cir. 1987). Although pro se briefs are afforded liberal construction, *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). Felknor has abandoned any challenge to the district court's determination that his complaint failed to state a claim upon which relief may be granted. *See Brinkmann*, 813 F.2d at 748. The appeal is dismissed. *See Howard v. King*, 707 F.2d 215, 220 (5th Cir. 1983); 5TH CIR. R. 42.2. All outstanding motions are denied.

Felknor has a history of repetitive and frivolous filings. While this appeal was pending, this court cautioned Felknor that future frivolous filings in this court would result in the imposition of sanctions. *See Felknor v. United States of America*, No. 10-31013, 2011 WL 2636906 (5th Cir. July 6, 2011) (unpublished). We again caution Felknor that any additional frivolous appeals filed by him will invite the imposition of sanctions. To avoid sanctions, Felknor is further cautioned to review any pending appeals to ensure that they do not raise arguments that are frivolous.

APPEAL DISMISSED; MOTIONS DENIED; SANCTION WARNING ISSUED.