

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

United States Court of Appeals
Fifth Circuit

FILED

March 3, 2017

Lyle W. Cayce
Clerk

STEPHEN M. AVDEEF,

Plaintiff-Appellant

v.

GOOGLE, INCORPORATED, a Delaware corporation,

Defendant-Appellee

Appeal from the United States District Court
for the Northern District of Texas
USDC No. 4:14-CV-788

Before DAVIS, BENAVIDES, and OWEN, Circuit Judges.

PER CURIAM:*

Stephen M. Avdeef appeals the summary judgment dismissal of his copyright infringement complaint against Google, Inc. While pro se briefs are afforded liberal construction, even pro se litigants must brief arguments in order to preserve them. *Yohey v. Collins*, 985 F.2d 222, 224-25 (5th Cir. 1993). Avdeef fails to set forth the substance of his claims in meaningful detail and does not address the grounds upon which the district court dismissed his

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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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

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complaint. He does not mention the district court's finding that Google was entitled to protection under the safe harbor provision of the Digital Millennium Copyright Act, 17 U.S.C. § 512. By failing to challenge the district court's reasons for granting summary judgment in favor of Google, Avdeef has abandoned the claim on appeal. *See Brinkmann v. Dallas County Deputy Sheriff Abner*, 813 F.2d 744, 748 (5th Cir. 1987).

In his complaint, Avdeef also named Google's chief legal officer, David C. Drummond, as a defendant. In a final appealable order, the district court dismissed Avdeef's complaint against Drummond for lack of personal jurisdiction. *See* FED. R. CIV. P. 54(b). Because Avdeef failed to file a timely notice of appeal as to this order, we lack jurisdiction to consider any claim challenging the dismissal of Drummond as a defendant in the instant action. *See* FED. R. APP. P. 4(a)(1); *Bowles v. Russell*, 551 U.S. 205, 214 (2007).

AFFIRMED IN PART; DISMISSED IN PART FOR LACK OF JURISDICTION.