

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

United States Court of Appeals
Fifth Circuit

FILED

February 24, 2017

Lyle W. Cayce
Clerk

NORMAN LYNN FOUNTAIN,

Plaintiff-Appellant

v.

CAPTAIN GRETA BENNETT; LIEUTENANT OLVIERDARE; UNIVERSITY OF TEXAS MEDICAL BRANCH,

Defendants-Appellees

Appeal from the United States District Court
for the Southern District of Texas
USDC No. 4:15-CV-1953

Before JOLLY, SMITH, and GRAVES, Circuit Judges.

PER CURIAM:*

Norman Lynn Fountain, Texas prisoner # 1722254, appeals the dismissal of his 42 U.S.C. § 1983 complaint without prejudice for failure to state a claim upon which relief may be granted. He does not challenge the district court's determination that he failed to exhaust all available

* 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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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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administrative remedies before filing suit as required by 42 U.S.C. § 1997e(a). Rather, Fountain reasserts the merits of his § 1983 complaint.

Although we apply a less stringent standard to parties proceeding pro se than to parties represented by counsel and liberally construe the briefs of pro se litigants, parties proceeding pro se must still brief the issues and reasonably comply with the requirements set forth in Rule 28 of the Federal Rules of Appellate Procedure. *Grant v. Cuellar*, 59 F.3d 523, 524 (5th Cir. 1995). Because Fountain has not challenged the district court's conclusion that he failed to exhaust his administrative remedies, he has abandoned the sole issue before this court. *See Yohey v. Collins*, 985 F.2d 222, 224-25 (5th Cir. 1993); *Brinkmann v. Dallas Cnty. Deputy Sheriff Abner*, 813 F.2d 744, 748 (5th Cir. 1987).

In light of Fountain's abandonment of his claim, the district court's dismissal without prejudice is AFFIRMED.