

United States Court of Appeals
for the Fifth Circuit

United States Court of Appeals
Fifth Circuit

FILED

November 30, 2021

Lyle W. Cayce
Clerk

No. 21-50018
Summary Calendar

ANTHONY QUINTON JOHNSON, JR.,

Plaintiff—Appellant,

versus

UNITED LAW FIRM SANDERS GROSSMAN, L.L.C.,

Defendant—Appellee.

Appeal from the United States District Court
for the Western District of Texas
USDC No. 7:20-CV-32

Before SOUTHWICK, GRAVES, and COSTA, *Circuit Judges.*

PER CURIAM:*

Anthony Quinton Johnson, Jr., moves for leave to proceed in forma pauperis (IFP) on appeal from the district court's order dismissing as frivolous his lawsuit against two law firms for legal malpractice, pursuant to

* Pursuant to 5TH CIRCUIT RULE 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIRCUIT RULE 47.5.4.

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28 U.S.C. § 1915(e)(2)(B). The district court denied his IFP motion, certifying that his appeal was not taken in good faith.

By moving to proceed IFP, Johnson is challenging the district court's certification. *See Baugh v. Taylor*, 117 F.3d 197, 202 (5th Cir. 1997). Our inquiry into an appellant's good faith "is limited to whether the appeal involves legal points arguable on their merits (and therefore not frivolous)." *Howard v. King*, 707 F.2d 215, 220 (5th Cir. 1983) (internal quotation marks and citations omitted).

Johnson does not renew the merits of his claim, does not brief any argument addressing the district court's order of dismissal, and provides no argument challenging the district court's reasons for certifying that his appeal is not taken in good faith. Although we liberally construe briefs of pro se litigants, *see Grant v. Cuellar*, 59 F.3d 523, 524 (5th Cir. 1995), Johnson has abandoned any challenge to the certification decision and has failed to show that he will raise a nonfrivolous issue for appeal by failing to point to any error in the district court's decision. *See Brinkmann v. Dallas Cnty. Deputy Sheriff Abner*, 813 F.2d 744, 748 (5th Cir. 1987); *Howard*, 707 F.2d at 220.

Accordingly, the motion to proceed IFP on appeal is DENIED, and the appeal is DISMISSED as frivolous. *See Baugh*, 117 F.3d at 202 & n.24. Johnson's motion for the appointment of counsel is DENIED. *See Ulmer v. Chancellor*, 691 F.2d 209, 212 (5th Cir. 1982).