

November 4, 2003

Charles R. Fulbruge III  
Clerk

IN THE UNITED STATES COURT OF APPEALS  
FOR THE FIFTH CIRCUIT

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No. 03-50351  
Summary Calendar

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GUADALUPE GUAJARDO, JR.,

Plaintiff-Appellant,

versus

ALFRED M. STRINGFELLOW, Chairman, Texas Department of Criminal  
Justice, Institutional Division; JANIE COCKRELL, DIRECTOR, TEXAS  
DEPARTMENT OF CRIMINAL JUSTICE, INSTITUTIONAL DIVISION; JIM  
MORGAN, Senior Warden; GARY L. JOHNSON, DIRECTOR, TEXAS  
DEPARTMENT OF CRIMINAL JUSTICE, INSTITUTIONAL DIVISION,

Defendants-Appellees.

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Appeal from the United States District Court  
for the Western District of Texas  
USDC No. A-02-CV-478-SS  
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Before JONES, BENAVIDES, and CLEMENT, Circuit Judges.

PER CURIAM:\*

Guadalupe Guajardo, Jr., Texas prisoner number 170864,  
appeals from the dismissal of his 42 U.S.C. § 1983 suit for  
failure to exhaust administrative remedies. Guajardo argues that  
the prison grievance system is inadequate because it does not  
permit challenges such as his to state-wide policies. We find no

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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that this opinion should not be published and is not precedent  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.

error in the district court's dismissal for failure to exhaust administrative remedies. See Porter v. Nussle, 534 U.S. 516, 532 (2002); Booth v. Churner, 532 U.S. 731, 741 n.6 (2001); 42 U.S.C. § 1997e(a).

Guajardo also argues that the district court erroneously denied his motion for class action status under FED. R. CIV. P. 23. By failing to brief how the district court erred or how he met the requirements of Rule 23, Guajardo has abandoned this issue on appeal. See Yohey v. Collins, 985 F.2d 222, 224-25 (5th Cir. 1993); see also FED. R. APP. P. 28(a)(9).

Guajardo also argues that the district court erroneously denied his request for appointment of counsel. We find no abuse of discretion. See Ulmer v. Chancellor, 691 F.2d 209, 212-13 (5th Cir. 1982).

AFFIRMED.