

IN THE UNITED STATES COURT OF APPEALS  
FOR THE FIFTH CIRCUIT

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No. 94-10812  
Conference Calendar

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DR. DRALVES EDWARDS,

Plaintiff-Appellant,

versus

CIGNA HEALTHPLAN OF TEXAS, INC.,

Defendant-Appellee.

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Appeal from the United States District Court  
for the Northern District of Texas  
USDC No. 3-94-CV-407-D  
- - - - -

(March 23, 1995)

Before GARWOOD, BARKSDALE, and STEWART, Circuit Judges.

PER CURIAM:\*

Appellant Dr. Dralves Edwards argues that the instant suit, his second against appellee arising out of the same operative facts, should not have been removed from state court or barred by res judicata. Because Edwards did not brief the removal issue, that issue is waived. United States v. Tippens, 39 F.3d 88, 89 n.2 (5th Cir. 1994).

Edwards asserts three new challenges to the district court's dismissal based on res judicata. This court reviews de novo a dismissal under the doctrine of res judicata. Schmueser v.

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\* Local Rule 47.5 provides: "The publication of opinions that have no precedential value and merely decide particular cases on the basis of well-settled principles of law imposes needless expense on the public and burdens on the legal profession." Pursuant to that Rule, the Court has determined that this opinion should not be published.

Burkburnett Bank, 937 F.2d 1025, 1031 (5th Cir. 1991). This court does not review issues raised for the first time on appeal unless they involve purely legal questions and failure to consider them would result in manifest injustice. Varnado v. Lynaugh, 920 F.2d 320, 321 (5th Cir. 1991). Accordingly, we decline to address these issues. The district court's judgment is AFFIRMED.