

UNITED STATES COURT OF APPEALS
For the Fifth Circuit

No. 96-40706
Summary Calendar

TONY RAY JONES,

Plaintiff-Appellant,

VERSUS

WAYNE SCOTT; UNIDENTIFIED YOUNG, Warden, Robertson Unit;
UNIDENTIFIED BELL, Warden, Robertson Unit; UNIDENTIFIED STEPHENS,
Major, Robertson Unit, UNIDENTIFIED WEBB, Lt., Robertson Unit;
ALTON D. CASKEY, Warden, Michael Unit; JAMES SHERIDAN, CO, Michael
Unit; JAMES W. NASH, CO, Michael Unit; MICHAEL MCCALLERY, CO, III,
Michael Unit; LEANOR ROSIER, CO, III, Michael Unit,

Defendants-Appellees.

Appeal from the United States District Court
For the Eastern District of Texas
(6:95-CV-830)

November 1, 1996

Before SMITH, DUHÉ, and BARKSDALE, Circuit Judges.

PER CURIAM:¹

Tony Ray Jones, Texas state prisoner ##597240, appeals from the district court's dismissal of his civil rights complaint for failure to obey a court order pursuant to Fed. R. Civ. P. 41(b).

¹Pursuant to Local Rule 47.5, the Court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in Local Rule 47.5.4.

Because Jones does not address the basis for the district court's dismissal in his appellate brief, however, his challenge to the dismissal is deemed abandoned on appeal. See Yohey v. Collins, 985 F.2d 222, 225 (5th Cir. 1993). Neither does Jones adequately brief his claims that the district court erred by denying his motion for the appointment of counsel, that the district court erred by denying his motion for a preliminary injunction, that the district court erred by severing a portion of his claims, and that the court erred by denying his motion for discovery. These claims are also deemed abandoned on appeal. See id. Jones' argument that he was entitled to a second Spears² hearing is without merit. The magistrate judge notified Jones after the initial hearing that if he filed an amended complaint, the court would evaluate the amended complaint and determine whether an amended Spears hearing was necessary. Jones chose not to file an amended complaint. Accordingly, the judgment of the district court is affirmed.

AFFIRMED.

²Spears v. McCotter, 766 F.2d 179 (5th Cir. 1985).