

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 98-11275
Conference Calendar

ALEXANDER TITO HUMPHRIES,

Petitioner-Appellant,

versus

UNITED STATES OF AMERICA; ARTHUR STRAPP,

Respondents-Appellees.

Appeal from the United States District Court
for the Northern District of Texas
USDC No. 3:98-CV-2121-L

August 25, 1999

Before KING, Chief Judge, and DAVIS and SMITH, Circuit Judges.

PER CURIAM:*

Alexander Tito Humphries ("Humphries") (a/k/a Achala-Odanga Humphrey) has appealed the decision of the district court to dismiss his case. The district court dismissed Humphries' complaint pursuant to Fed. R. Civ. P. 12(b)(1) for lack of subject matter jurisdiction. Because Humphries does not address the district court's dismissal of his case for lack of subject matter jurisdiction in his appellate brief, he has abandoned the sole issue on appeal. See Brinkmann v. Dallas County Deputy

* 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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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.

Sheriff Abner, 813 F.2d 744, 748 (5th Cir. 1987); Yohey v. Collins, 985 F.2d 222, 224-25 (5th Cir. 1993). Accordingly, his appeal is frivolous and is DISMISSED as such. See 5th Cir. R. 42.2. Furthermore, Humphries' recently filed motion for leave to file exhibits in support of his brief is DENIED because the exhibits possess no relevance to the sole issue on appeal.

MOTION DENIED. APPEAL DISMISSED.