

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 97-40963
Conference Calendar

DAVID WAYNE JAMES,

Plaintiff-Appellant,

versus

R.A. GARCIA; V. BOYD, Unit
Chief of Classification; EVA
PEARY, State Class Assistant,

Defendants-Appellees.

- - - - -
Appeal from the United States District Court
for the Southern District of Texas
USDC No. V-97-CV-33
- - - - -

February 10, 1998

Before SMITH, EMILIO M. GARZA, and DeMOSS, Circuit Judges.

PER CURIAM:*

David Wayne James has appealed from the district court's dismissal of his case for failure to comply with a court order; nevertheless, he has failed to address that issue on appeal. By failing to brief the only relevant issue, James has abandoned the appeal. *United States v. Wilkes*, 20 F.3d 651, 653 (5th Cir. 1994); *Yohey v. Collins*, 985, 222, 224-25 (5th Cir. 1993).

James's appeal is frivolous. *Howard v. King*, 707 F.2d 215, 219-20 (5th Cir. 1983). Because the appeal is frivolous, it is dismissed. 5TH CIR. R. 42.2.

APPEAL DISMISSED.

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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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