

United States Court of Appeals
for the Fifth Circuit

No. 25-11152

United States Court of Appeals
Fifth Circuit

FILED

June 8, 2026

Lyle W. Cayce
Clerk

MICHAEL JOSEPH FRERICKS, II,

Plaintiff—Appellant,

versus

ROCKWALL COUNTY; KENDA CULPEPPER; COURT APPOINTED
ATTORNEY; TERRY GARRETT,

Defendants—Appellees.

Appeal from the United States District Court
for the Northern District of Texas
USDC No. 3:25-CV-2148

Before JONES, RICHMAN, and RAMIREZ, *Circuit Judges*.

PER CURIAM:*

Michael Joseph Frericks, II moves for leave to proceed in forma pauperis (IFP) on appeal from the sua sponte dismissal of his civil rights action and the denial of his requests for injunctive relief. The IFP motion is a challenge to the district court's certification that the appeal is not taken in good faith. *See Baugh v. Taylor*, 117 F.3d 197, 202 (5th Cir. 1997).

* This opinion is not designated for publication. *See* 5TH CIR. R. 47.5.

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In his briefing, Frericks does not mention the claims he raised against the defendants in his civil action or his requests for injunctive relief, much less challenge the district court's reasons for determining that he failed to state a claim on which relief can be granted or for denying injunctive relief. While pro se briefs are afforded liberal construction, *see Haines v. Kerner*, 404 U.S. 519, 520 (1972), even pro se litigants must brief arguments in order to preserve them, *Yohey v. Collins*, 985 F.2d 222, 224-25 (5th Cir. 1993). Where, as here, an appellant fails to identify any error in the district court's analysis, it is the same as if the appellant had not appealed the decision, *Brinkmann v. Dallas Cnty. Deputy Sheriff Abner*, 813 F.2d 744, 748 (5th Cir. 1987). Frericks has abandoned the critical issues by failing to brief them. *See Yohey*, 985 F.2d at 224-25. He has failed to demonstrate that his appeal will involve a nonfrivolous issue. *See Howard v. King*, 707 F.2d 215, 220 (5th Cir. 1983).

Accordingly, the motion for leave to proceed IFP is DENIED, and the appeal is DISMISSED as frivolous. *See Baugh*, 117 F.3d at 202 n.24; 5TH CIR. R. 42.2. Frericks's motion to amend the caption is DENIED.