

[DO NOT PUBLISH]

In the  
United States Court of Appeals  
For the Eleventh Circuit

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No. 24-13277

Non-Argument Calendar

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FREEMAN ADRIAN SMALLS,

Plaintiff-Appellant,

*versus*

MEDLINE INDUSTRIES,

Defendant-Appellee.

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Appeal from the United States District Court  
for the Northern District of Georgia  
D.C. Docket No. 1:24-cv-01019-SEG

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Before JORDAN, KIDD, and WILSON, Circuit Judges.

PER CURIAM:

Freeman Smalls, proceeding *pro se*, appeals the dismissal of his second amended complaint, which asserted a claim under the Age Discrimination in Employment Act (“ADEA”), 29 U.S.C. § 623. He argues that the district court erred by dismissing his complaint for failure to state a claim under 28 U.S.C. § 1915(e)(2)(B)(ii).

Typically, we review *de novo* a district court’s *sua sponte* dismissal for failure to state a claim pursuant to § 1915(e)(2)(B)(ii). *See Alba v. Montford*, 517 F.3d 1249, 1252 (11th Cir. 2008). But when a party fails to object to a magistrate judge’s report and recommendation (“R&R”) after being informed of the right to object, of the time period for objecting, and of the consequences of failing to object, that party waives the right to challenge the district court’s order on appeal if it was based on those unobjected-to factual and legal conclusions. *See* 11th Cir. R. 3-1. Under those circumstances, we will only review for plain error in the interests of justice. *See id.*

Here, Mr. Smalls waived his right to challenge the district court’s ruling. He failed to object to the magistrate judge’s R&R, which recommended dismissal of the second amended complaint.

Mr. Smalls has also abandoned any argument that his complaint stated a valid age discrimination claim by failing to make such an argument on appeal. Although we read *pro se* briefs liberally, issues not briefed by a *pro se* litigant are considered abandoned. *See Timson v. Sampson*, 518 F.3d 870, 874 (11th Cir. 2008).

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Accordingly, we affirm.

**AFFIRMED.**