

February 23, 2005

Charles R. Fulbruge III  
Clerk

IN THE UNITED STATES COURT OF APPEALS  
FOR THE FIFTH CIRCUIT

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04-20030  
Conference Calendar

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NIKITA VAN GOFFNEY,

Plaintiff-Appellant,

versus

J. SAUCEDA; Et Al.,

Defendants,

J. SAUCEDA; C. DAVIDSON; T. TAYLOR; J. EVERITT; G. HARDA; M. HOLT, Sergeant; J. FERRARO; G. HARDAGE; COUNTY OF MONTGOMERY; MICHAEL MCDUGAL; JIM PREWITT; CITY OF CONROE,

Defendants-Appellees.

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Appeal from the United States District Court  
for the Southern District of Texas  
USDC No. 4:02-CV-2638  
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Before BARKSDALE, GARZA, and STEWART, Circuit Judges.

PER CURIAM:\*

Nikita Van Goffney, Texas prisoner # 1067755, appeals the district court's denial of his motion for appointment of counsel in this 42 U.S.C. § 1983 proceeding. The factual issues surrounding Goffney's claims are not unusual or highly complex and are based on events that happened to him. Goffney has

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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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

clearly and coherently stated his positions in his pleadings, and he has included appropriate legal citations. We conclude that the district court did not abuse its discretion by declining to appoint counsel in this case. See Ulmer v. Chancellor, 691 F.2d 209, 212 (5th Cir. 1982).

AFFIRMED.