

October 21, 2004

Charles R. Fulbruge III  
Clerk

IN THE UNITED STATES COURT OF APPEALS  
FOR THE FIFTH CIRCUIT

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No. 04-30196  
Summary Calendar

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CHUCK LOUIS JARRELL,

Plaintiff-Appellant,

versus

JOHN SEAL, Deputy; EIESHA LEE, Deputy; AUBREY JONES, Sheriff,

Defendants-Appellees.

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Appeal from the United States District Court  
for the Eastern District of Louisiana  
USDC No. 03-CV-2737-S

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Before JONES, BARKSDALE, and PRADO, Circuit Judges.

PER CURIAM:\*

Chuck Louis Jarrell, Louisiana prisoner no. 122727, appeals the summary judgment dismissing his claims brought under 42 U.S.C. § 1983. Jarrell sought monetary damages based on allegations that, while a pretrial detainee, he urinated on himself in court because no defendant would escort him to a restroom.

"Summary judgment is reviewed de novo, under the same standards the district court applies to determine whether summary judgment is appropriate." Amburgey v. Corhart Refractories Corp.,

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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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

936 F.2d 805, 809 (5th Cir. 1991); FED. R. CIV. P. 56(c)). The magistrate judge, trying the case by consent, correctly determined that Jarrell failed to present summary judgment evidence to show either "deliberate indifference" on the part of any defendant or that he suffered any physical injury that was not de minimis. See Farmer v. Brennan, 511 U.S. 825, 837 (1994); Hare v. City of Corinth, 74 F.3d 633, 639 (5th Cir. 1996) (en banc) (pretrial detainees, like convicted prisoners, must show deliberate indifference); see also 42 U.S.C. § 1997e(e); Alexander v. Tippah County, Miss., 351 F.3d 626, 628-29, 631 (5th Cir. 2003), cert. denied, 124 S. Ct. 2071 (2004). The judgment is **AFFIRMED**.

Jarrell moves for appointment of counsel. The motion is **DENIED**.

**JUDGMENT AFFIRMED; MOTION DENIED.**