

UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 95-60488
Summary Calendar

RONALD JOSEPH RODGERS, JR.,

Plaintiff-Appellant,

versus

RICK GASTON, Capt.; JOE PRICE, Sheriff;
BRUCE CARVER, Lt.; R. N. ELEUTERIUS, Member of
Harrison County Board of Supervisors; DAVID WHITE,
Member of Harrison County Board of Supervisors;
FRANK LAROSA, Member of Harrison County
Board of Supervisors; PHILLIP ALLEN, Member
of Harrison County Board of Supervisors;
C. T. SWITZER, JR., Member of Harrison
County Board of Supervisors,

Defendants-Appellees.

Appeal from the United States District Court
for the Southern District of Mississippi
(1:93CV348BrR)

January 21, 1997

Before SMITH, DUHÉ, and BARKSDALE, Circuit Judges.

PER CURIAM:*

Ronald Joseph Rodgers, Jr., Mississippi prisoner #84888, appeals the judgment for the defendants following a bench trial on his 42 U.S.C. § 1983 claims. Rodgers contended in district court that,

* Pursuant to Local Rule 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in Local Rule 47.5.4.

while a pretrial detainee in the Harrison County Detention Center, he slipped and fell on a floor that was wet because the air conditioning unit either malfunctioned or was turned off, and that he received inadequate medical treatment. He contends on appeal that he was denied due process at his trial and that the district court abused its discretion by refusing to appoint counsel to represent him.

We have reviewed Rodgers' brief and the record, including the memorandum opinion of the magistrate judge who tried the case pursuant to the parties' consent, and we find no reversible error by the magistrate judge and no abuse of discretion in the refusal to appoint counsel to represent Rodgers. See *Rodgers v. Gaston*, No. 1:93cv348BrR (S.D. Miss. July 7, 1995) (unpublished); *Ulmer v. Chancellor*, 691 F.2d 209, 212 (5th Cir. 1982). Accordingly, the judgment is

AFFIRMED.