

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 01-60303
Conference Calendar

DARRELL L. BANKSTON,

Plaintiff-Appellant,

versus

ARIAN JOSEPH ALEXANDER, Etc.; ET AL.,

Defendants,

ARIAN JOSEPH ALEXANDER, also known as Robert Alexander,
Correctional Guard; CHARLIE POPE, Deputy Warden,

Defendants-Appellees.

Appeal from the United States District Court
for the Southern District of Mississippi
USDC No. 2:99-CV-321-PG

June 18, 2002

Before HIGGINBOTHAM, DAVIS, and EMILIO M. GARZA, Circuit Judges.

PER CURIAM:*

Darrell L. Bankston, Mississippi state prisoner number R1725, filed a complaint in the district court alleging that correctional guard Arian Joseph Alexander used another inmate to attack Bankston and that deputy warden Charlie Pope failed to

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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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

protect Bankston from the attack. The parties consented to the exercise of jurisdiction by the magistrate judge. See 28 U.S.C. § 636(c). The case was tried before a jury, which returned a verdict in favor of the defendants. The magistrate judge entered judgment dismissing the complaint. Bankston has appealed.

Bankston contends: (1) that the jury verdict was contrary to the evidence presented at trial; (2) that the verdict form was misleading because it mischaracterized his claim against Alexander as an excessive-force claim; and (3) that the magistrate judge commented improperly during the trial that the defendants were represented by a "distinguished" law firm. Bankston has not provided the court with a trial transcript. It is the appellant's responsibility to provide a transcript of all relevant evidence to support his appellate argument. See FED. R. APP. P. 10(b)(2); Powell v. Estelle, 959 F.2d 22, 26 (5th Cir. 1992). Bankston's failure to provide a transcript prevents this court from reviewing these issues. Accordingly, the appeal must be dismissed in part. See Richardson v. Henry, 902 F.2d 414, 416 (5th Cir. 1990).

Bankston has not shown that the magistrate judge abused his discretion by denying his motion for appointment of counsel. See Branch v. Cole, 686 F.2d 264, 266 (5th Cir. 1982). The magistrate judge's order is affirmed.

DISMISSED IN PART; AFFIRMED IN PART.