

United States Court of Appeals
for the Fifth Circuit

United States Court of Appeals
Fifth Circuit

FILED

October 8, 2020

Lyle W. Cayce
Clerk

No. 19-20262
Summary Calendar

MICHAEL CARDORA ROBERSON,

Plaintiff—Appellant,

versus

STATE OF TEXAS; MEDICAL STAFF, AT HOLLIDAY UNIT;
INMATE FNU BRANFORD,

Defendants—Appellees.

Appeal from the United States District Court
for the Southern District of Texas
USDC No. 4:18-CV-1524

Before DENNIS, SOUTHWICK, and ENGELHARDT, *Circuit Judges.*

PER CURIAM:*

Michael Cardora Roberson, Texas prisoner # 2167695, filed a 42 U.S.C. § 1983 suit in which he alleged that prison officials did not provide Roberson medical care after another inmate attacked him. Roberson moves

* Pursuant to 5TH CIRCUIT RULE 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIRCUIT RULE 47.5.4.

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for leave to proceed in forma pauperis (IFP) on the appeal of the denial of his motions for appointment of counsel and other rulings by the district court. In addition, Roberson moves for: (1) appointment of counsel; (2) transfer of his appeal to the Texas Second Court of Appeals; and (3) dismissal of his appeal because he failed to exhaust prison administrative remedies.

We lack jurisdiction to consider the appeal because the denial of a motion for appointment of counsel in a § 1983 case is not immediately appealable. *See Williams v. Catoe*, 946 F.3d 278, 279 (5th Cir. 2020) (en banc). Moreover, Roberson moved for a voluntary dismissal of his case, and the district court granted the motion. Therefore, we also lack jurisdiction because there is no longer a live case or controversy as to issues related to his other notices of appeal. *United States v. Heredia-Holguin*, 823 F.3d 337, 340 (5th Cir. 2016) (en banc).

Accordingly, the appeal is DISMISSED for lack of jurisdiction. Roberson's remaining motions are DENIED as moot.