

**IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT**

No. 19-30020
Summary Calendar

United States Court of Appeals
Fifth Circuit
FILED
November 25, 2019
Lyle W. Cayce
Clerk

CARSON GREEN,

Plaintiff-Appellant,

v.

LASALLE CORPORATION; JAMES KEITH DEVILLE; BILLY TIGNER;
JODY FLOYD; KEVIN JORDAN; GARY COLEMAN; CAPTAIN TOLBERT;
CAPTAIN HOWARD; CAPTAIN CURRY,

Defendants-Appellees.

Appeal from the United States District Court
for the Western District of Louisiana
USDC No. 1:18-CV-399

Before KING, GRAVES, and WILLETT, Circuit Judges.

PER CURIAM:*

Carson Green, Louisiana prisoner # 513301, filed a 42 U.S.C. § 1983 civil rights complaint alleging that, after he was attacked by other prisoners, prison officials failed to protect him because he was subsequently housed in the same unit as some of his attackers. After Green had an opportunity to amend his complaint, the district court dismissed it pursuant to 28 U.S.C. § 1915A(b) and

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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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

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28 U.S.C. § 1915(e)(2)(B) for failure to state a claim, concluding that Green did not allege that he had suffered any physical injury resulting from any defendants' alleged deliberate indifference. Green appeals that decision and requests appointment of counsel on appeal.

Applying de novo review, *see Legate v. Livingston*, 822 F.3d 207, 209-10 (5th Cir. 2016), we affirm. Green does not demonstrate any error in the district court's determination that he failed to state an Eighth Amendment claim based on a failure to protect. *See Farmer v. Brennan*, 511 U.S. 825, 837-38 (1994); *Jones v. Greninger*, 188 F.3d 322, 326 (5th Cir. 1999). Green's motion for appointment of counsel is denied because he has not shown that this case presents exceptional circumstances. *See Cooper v. Sheriff, Lubbock Cty., Tex.*, 929 F.2d 1078, 1084 (5th Cir. 1991).

AFFIRMED; MOTION DENIED.