

IN THE UNITED STATES COURT OF APPEALS  
FOR THE FIFTH CIRCUIT

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No. 93-3865  
Conference Calendar

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ANDREA HALL,

Plaintiff-Appellant,

versus

JOE MENZINA, ET AL.,

Defendants-Appellees.

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Appeal from the United States District Court  
for the Middle District of Louisiana  
USDC No. 92-CV-663-A  
- - - - -

(May 19, 1994)

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

PER CURIAM:\*

Andrea Hall appeals the district court's denial of his motion pursuant to 28 U.S.C. § 1915 for appointment of counsel.

The order denying appointment of counsel is an appealable interlocutory order. See Robbins v. Maggio, 750 F.2d 405, 409-13 (5th Cir. 1985). The denial of appointment of counsel is reviewed for abuse of discretion. See Jackson v. Cain, 864 F.2d 1235, 1242 (5th Cir. 1989).

Hall argues that the trial of this matter will involve 11 defendants and their witnesses and thus will require skill in the

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\* Local Rule 47.5 provides: "The publication of opinions that have no precedential value and merely decide particular cases on the basis of well-settled principles of law imposes needless expense on the public and burdens on the legal profession." Pursuant to that Rule, the Court has determined that this opinion should not be published.

presentation of evidence and cross-examination. He contends that because he has "little experience with the law and does not speak or read [E]nglish very well" he therefore does not possess the skill needed to litigate his case.

"A civil rights complainant has no right to the automatic appointment of counsel." Ulmer v. Chancellor, 691 F.2d 209, 212 (5th Cir. 1982). The appointment of counsel is unnecessary unless a case presents "exceptional circumstances." Id. at 212-213. Among the factors to be considered in deciding whether the appointment of counsel is necessary are the complexity of the issues and the ability of the plaintiff to represent himself adequately. Hulsey v. State, 929 F.2d 168, 172 (5th Cir. 1991). The facts and legal issues involved in this case are not complex or exceptional. They involve an incident at the prison where Hall alleges he was physically assaulted and harmed by prison officials. He is very familiar with the facts surrounding this incident and the record contains exceptionally well-written and focused pleadings for a pro se litigant. Hall's district court pleadings and appellate brief demonstrate that he is capable of providing himself with adequate representation. The denial of his motion for appointed counsel is AFFIRMED.