

IN THE UNITED STATES COURT OF APPEALS  
FOR THE FIFTH CIRCUIT

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No. 94-10362  
Conference Calendar

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CLYDE WAYNE STUART,

Plaintiff-Appellant,

versus

LAWRENCE BRUMLEY, Detective and  
OTHER UNKNOWN POLICE OFFICERS OF  
THE DALLAS POLICE DEP'T, Six,

Defendants-Appellees.

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Appeal from the United States District Court  
for the Northern District of Texas  
USDC No. 93-CV-221-R  
- - - - -  
(July 22, 1994)

Before POLITZ, Chief Judge, and JOLLY and DAVIS, Circuit Judges.

PER CURIAM:\*

Clyde Wayne Stuart returns to this Court and argues that the district court abused its discretion in denying his motion for appointment of counsel and in failing to give reasons for the denial of the motion in accord with Ulmer v. Chancellor, 691 F.2d 209, 213 (5th Cir. 1982).

We agree. The district court's order denying appointment of counsel is VACATED. The district court is directed forthwith to appoint counsel for Stuart.

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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 Pursuant to that Rule, the Court has determined that this opinion should not be published.

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VACATED and REMANDED.