

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 94-50780
Conference Calendar

ROBERT E. VILLEGAS,

Plaintiff-Appellant,

versus

RAUL S. CANTU, Dr.,

Defendant-Appellee.

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Appeal from the United States District Court
for the Western District of Texas
(USDC No. SA-92-CA-1079)
- - - - -

June 28, 1995

Before JONES, WIENER, and EMILIO M. GARZA, Circuit Judges.

PER CURIAM:*

Robert E. Villegas, proceeding pro se, has filed an appeal from the district court's dismissal of his suit; nevertheless, Villegas has failed to brief any issue related to the district court's dismissal of his suit. Although this court construes pro se pleadings liberally, pro se litigants must abide by the Federal Rules of Appellate Procedure. See United States v. Wilkes, 20 F.3d 651, 653 (5th Cir. 1994). The Rules require that the appellant's argument contain the reasons he deserves the requested relief "with citation to the authorities, statutes, and

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 Pursuant to that Rule, the court has determined that this opinion should not be published.

parts of the record relied on." FED. R. APP. P. 28(a)(6). A statement of the applicable standard of review is also required. Id. Failure to comply with the court's rules regarding the contents of briefs can be grounds for dismissing a party's claims. 5TH CIR. R. 42.3.2. Because Villegas has failed to brief the only viable issue in this appeal, the appeal has no arguable merit and is therefore frivolous. Because the appeal is frivolous, it is DISMISSED. 5TH CIR. R. 42.2.

Villegas has also moved this court to appoint counsel on appeal. No general right to counsel in civil rights actions exists. Branch v. Cole, 686 F.2d 264, 266 (5th Cir. 1982). "This court may appoint counsel in civil rights suits presenting `exceptional circumstances.'" Cooper v. Sheriff, Lubbock County, Tex., 929 F.2d 1078, 1084 (5th Cir. 1991)(quoting Ulmer v. Chancellor, 691 F.2d 209, 212-13 (5th Cir. 1982)). Villegas's suit is essentially a disagreement with doctors concerning the necessity of testicular surgery. A mere disagreement with one's medical treatment is not sufficient to state a cause of action under 42 U.S.C. § 1983. Varnado v. Lynaugh, 920 F.2d 320, 321 (5th Cir. 1991). This case is not exceptional; Villegas's motion is DENIED.