

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 94-60152
Conference Calendar

EDWARD CHARLES NEAL,

Plaintiff-Appellant,

versus

RIP STRINGER,

Defendant-Appellee.

- - - - -
Appeal from the United States District Court
for the Southern District of Mississippi
USDC No. 93-CV-96
- - - - -

(October 17, 1995)

Before POLITZ, Chief Judge, and REAVLEY and SMITH, Circuit Judges.

PER CURIAM:*

Edward Charles Neal asserts that the district court abused its discretion in denying his motion for leave to file an amended complaint. The record does not show that Neal made such a motion. This issue has no merit.

Neal contends that the district court erred in denying his motion for appointment of counsel. On appeal, Neal asserts that he is unable to represent himself because he is under the care

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 Pursuant to that Rule, the court has determined that this opinion should not be published.

and supervision of a psychiatrist. He did not mention his psychiatric condition in his motion for appointment of counsel before the district court. That he is under the care of a psychiatrist would not in itself destroy his ability to proceed in the lawsuit. The district court did not err in refusing to appoint counsel in this case. See Ulmer v. Chancellor, 691 F.2d 209, 212-13 (5th Cir. 1982).

Neal asserts that the district court erred in dismissing his complaint with prejudice. Most of Neal's argument addresses dismissals under 28 U.S.C. § 1915. The magistrate judge did not dismiss any of Neal's complaint pursuant to § 1915(d). Neal does not state to which part of the district court's action he objects. "Although we liberally construe briefs of pro se litigants and apply less stringent standards to parties proceeding pro se than to parties represented by counsel, pro se parties must still brief the issues and reasonably comply with the standards of Rule 28. Grant v. Cuellar, 59 F.3d 523, 524 (5th Cir. 1995) (footnote omitted). In Grant, the pro se litigant appealed from the § 1915(d) dismissal of a single-issue excessive-force claim leaving the appellees to speculate whether it was dismissed for lack of a factual or a legal basis. Id. at 524-25. In this case, there is much more room for speculation and as such, Neal has defaulted this claim by failing to comply with Fed. R. App. P. 28(a)(6).

AFFIRMED.