

IN THE UNITED STATES COURT OF APPEALS  
FOR THE FIFTH CIRCUIT

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No. 95-40015  
Summary Calendar

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A.C. JONES,

Plaintiff-Appellant,

versus

WHITE OAK, TX, POLICE DEPARTMENT ET AL.,

Defendants,

BILL JONES, White Oak Officer ET AL.,

Defendants-Appellees.

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Appeal from the United States District Court  
for the Eastern District of Texas  
USDC No. 6:93-CV-679  
- - - - -

February 21, 1996

Before WIENER, PARKER and DENNIS, Circuit Judges

PER CURIAM:\*

A.C. Jones appeals the dismissal of his civil-rights action following a trial on the merits. Jones contends that the magistrate judge erred by denying his motions for appointment of counsel and erred by failing to subpoena his witnesses for trial.

Jones's case did not present exceptional circumstances requiring the appointment of counsel; the denial of his motions for appointment of counsel was not an abuse of discretion. See

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Pursuant to Local Rule 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in Local Rule 47.5.4.

*Ulmer v. Chancellor*, 691 F.2d 209, 213 (5th Cir. 1982). The record before this court indicates that the magistrate judge ordered that subpoenas issue for Jones's witnesses; nothing in the record indicates otherwise. We cannot review Jones's allegation that the magistrate judge ignored his complaint at trial that the subpoenas had not issued; Jones has failed to provide this court with a transcript of the trial, as it is his responsibility to do. See *Alizadeh v. Safeway Stores*, 910 F.2d 234, 237 (5th Cir. 1990).

APPEAL DISMISSED. 5TH CIR. R. 42.2.