

IN THE UNITED STATES COURT OF APPEALS  
FOR THE FIFTH CIRCUIT

---

No. 95-50510

---

JOSEPH BELL,

Plaintiff-Appellant,

versus

O.A. "BOB" BROOKSHIRE;  
ECTOR COUNTY, TEXAS,

Defendants-Appellees.

- - - - -  
Appeal from the United States District Court  
for the Western District of Texas  
USDC No. MO-93-CV-149  
- - - - -  
September 21, 1995

Before JOLLY, DAVIS and JONES, Circuit Judges.

PER CURIAM:\*

Joseph Bell moves this court for leave to proceed on appeal in forma pauperis (IFP). See Fed. R. App. P. 24(a). "To proceed on appeal [IFP], a litigant must be economically eligible, and his appeal must not be frivolous." Jackson v. Dallas Police Dep't, 811 F.2d 260, 261 (5th Cir. 1986).

Bell argues that error occurred by the denial of his motions for appointment of counsel. We review for an abuse of

---

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 Pursuant to that Rule, the court has determined that this opinion should not be published.

discretion. Id. In the context of a civil rights suit, appointment of counsel is not required without the presence of "exceptional circumstances." Id. (citation and internal quotations omitted). Because an examination of the record confirms that no such circumstances existed in this case, we find no abuse of discretion. See id. at 262; Ulmer v. Chancellor, 691 F.2d 209, 212-13 (5th Cir. 1982).

Bell does not challenge the findings of fact or conclusions of law underlying the final judgment in favor of the defendants. Therefore, any such challenge is deemed abandoned. Eason v. Thaler, 14 F.3d 8, 9 n.1 (5th Cir. 1994).

Bell has not presented a nonfrivolous issue. See Jackson, 811 F.2d at 261. Therefore, IT IS ORDERED that his motion for leave to proceed on appeal IFP is DENIED. Because his appeal is frivolous, the appeal is

DISMISSED.