

**IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT**

United States Court of Appeals
Fifth Circuit

FILED

May 8, 2020

Lyle W. Cayce
Clerk

No. 19-20141
Summary Calendar

LEWIS WHITMIRE,

Plaintiff-Appellant

v.

D. BOOKER, Assistant Warden; R. FERGUSON, Chief of Classification; ERIC
KELLEY,

Defendants-Appellees

Appeal from the United States District Court
for the Southern District of Texas
USDC No. 4:19-CV-265

Before CLEMENT, ELROD, and OLDHAM, Circuit Judges.

PER CURIAM:*

Lewis Whitmire, Texas prisoner # 1778929, appeals the denial of a motion for the appointment of counsel in a 42 U.S.C. § 1983 proceeding. The interlocutory order at issue is not an appealable order. *See Williams v. Catoe*, 946 F.3d 278, 279-81 (5th Cir. 2020) (en banc); *Askanase v. Livingwell, Inc.*, 981 F.2d 807, 809-10 (5th Cir. 1993).

* Pursuant to 5TH CIR. R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR. R. 47.5.4.

No. 19-20141

Accordingly, we DISMISS Whitmire's appeal for lack of jurisdiction. Any pending motions are DENIED as moot.