IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 07-40650
Summary Calendar

CLARENCE EUGENE JONES,

Plaintiff–Appellant,

v.

TRAVIS E. PRIMROSE,

Defendant–Appellee.

Appeal from the United States District Court
for the Eastern District of Texas
USDC No. 9:04-CV-123

Before KING, DENNIS, and OWEN, Circuit Judges.

PER CURIAM:[*]

Clarence Eugene Jones, Texas prisoner # 675128, appeals the dismissal of his 42 U.S.C. § 1983 excessive force claim against Travis E. Primrose, a correctional officer at the Stiles Unit of the Texas Department of Criminal Justice, Institutional Division, after a jury failed to find that excessive force had been used. Jones also moves for the production of the trial transcripts at government expense and the appointment of counsel on appeal.

---

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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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

Jones argues that the magistrate judge abused her discretion in denying his requests for the appointment of trial counsel. However, Jones has not shown that there were exceptional circumstances justifying the appointment of trial counsel. Cupit v. Jones, 835 F.2d 82, 86 (5th Cir. 1987). Accordingly, he has not shown that the magistrate judge abused her discretion in denying his motion for the appointment of trial counsel. See id.

To the extent that Jones also asserts that the jury's verdict was not supported by the evidence, he has not briefed the issue, and thus he has abandoned it. See Brinkmann v. Dallas County Deputy Sheriff Abner, 813 F.2d 744, 748 (5th Cir. 1987).

Because we hold that the magistrate judge did not abused her discretion and that Jones has abandoned his appeal of the dismissal of his 42 U.S.C. § 1983 excessive force claim, we also deny his motion for the production of the trial transcripts as moot.

AFFIRMED; ALL OUTSTANDING MOTIONS DENIED.