

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

United States Court of Appeals  
Fifth Circuit

**FILED**

January 17, 2013

Lyle W. Cayce  
Clerk

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No. 11-41141  
Summary Calendar

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LOUIS LEON WALTERS,

Plaintiff-Appellant,

versus

UNITED STATES MARSHALS SERVICE;  
HENRY PATTERSON, Sheriff, Liberty County Jail;  
TIM NEW, Community Education Centers, Liberty County Jail;  
MEDICAL STAFF, Liberty County Jail;  
UNIDENTIFIED CORRECTIONAL OFFICERS,  
Correction Officers Liberty County Jail,

Defendants-Appellees.

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Appeals from the United States District Court  
for the Eastern District of Texas  
No. 1:10-CV-544

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No. 11-41141

Before SMITH, PRADO, and HIGGINSON, Circuit Judges.

PER CURIAM:\*

Louis Walters, Texas prisoner # 1714211, filed the instant interlocutory appeal of an order denying a motion for appointment of counsel in his 42 U.S.C. § 1983 suit alleging that he was given inadequate medical care at the Liberty County Jail. He argues that the district court abused its discretion in denying the motion. The interlocutory order is immediately appealable. *See Robbins v. Maggio*, 750 F.2d 405, 413 (5th Cir. 1985).

Walters's case, however, does not raise complex legal or factual issues. Additionally, his pleadings indicate that he has the ability to present his case adequately, and there is no indication that he would be unable to investigate adequately. Therefore, the district court did not abuse its discretion in denying Walters's request for counsel. *See Ulmer v. Chancellor*, 691 F.2d 209, 212, 213 (5th Cir. 1982). Because he has not shown that exceptional circumstances warrant the appointment of counsel, the motion is denied. *See Cooper v. Sheriff, Lubbock Cnty., Tex.*, 929 F.2d 1078, 1084 (5th Cir. 1991).

Walters also contends that the conditions of confinement were inhumane because he was deprived of necessary medications and that the defendants were deliberately indifferent to his medical needs. Because the district court has not entered a final, appealable order adopting the magistrate judge's recommendation dismissing those claims, this court does not have jurisdiction over them. *See Donaldson v. Ducote*, 373 F.3d 622, 624 (5th Cir. 2004).

The order denying appointment of counsel is AFFIRMED. The motion for appointment of counsel is DENIED. The appeal is DISMISSED in part.

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\* 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.