

IN THE UNITED STATES COURT OF APPEALS  
FOR THE FIFTH CIRCUIT

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No. 01-40460  
Conference Calendar

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CHARLES KNIGHT,

Plaintiff-Appellant,

versus

RODNEY C. YBARRA, et al.,

Defendants-Appellees,

RODNEY C. YBARRA,

Defendant-Appellee.

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Appeal from the United States District Court  
for the Southern District of Texas  
USDC No. C-00-CV-166  
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June 18, 2002

Before HIGGINBOTHAM, DAVIS, and EMILIO M. GARZA, Circuit Judges.

PER CURIAM:\*

Charles Knight, Texas prisoner # 816507, appeals an unfavorable jury verdict in his civil rights action under 42 U.S.C. § 1983 against Correctional Officer Rodney Ybarra for an excessive use of force. On appeal, Knight does not address the merits of his excessive-force claim. Knight's argument is

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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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

limited to his assertion that the district court should have appointed him counsel because he was unable to represent himself due to his lack of education, lack of preparation time, and lack of sleep. Knight has failed to allege any specific harm to his case caused by the district court's denial of his motion for appointment of counsel or his alleged lack of sleep and preparation. Knight has failed to show that he was unable to represent himself adequately considering all of the circumstances surrounding his case. The district court did not abuse its discretion in denying Knight's motions for appointed counsel. Ulmer v. Chancellor, 691 F.2d 209, 213 (5th Cir. 1982).

AFFIRMED.