

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 95-20531
Conference Calendar

MARIO C. MARTINEZ,

Plaintiff-Appellant,

versus

D. JACKSON,
D. SHELBY,

Defendants-Appellees.

- - - - -
Appeal from the United States District Court
for the Southern District of Texas
USDC No. CA-H-94-2627

- - - - -
December 19, 1995

Before DAVIS, STEWART, and PARKER, Circuit Judges.

PER CURIAM:*

Mario C. Martinez appealed the district court's denial of his motion for appointment of counsel. An interlocutory order denying the appointment of counsel in a civil rights action may be immediately appealed. Robbins v. Maggio, 750 F.2d 405, 413 (5th Cir. 1985). A trial court is not required to appoint counsel for an indigent plaintiff asserting a claim under 42 U.S.C. § 1983 unless there are exceptional circumstances. Ulmer

* Local Rule 47.5.1 provides: "The publication of opinions that 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 Pursuant to that Rule, the court has determined that this opinion should not be published.

v. Chancellor, 691 F.2d 209, 212 (5th Cir. 1982). A district court has the discretion to appoint counsel for a plaintiff proceeding pro se if doing so would advance the proper administration of justice. Id. at 213.

Given the district court's careful and specific consideration of each of the four Ulmer factors, the record on appeal, and Martinez's brief, the district court did not abuse its discretion by refusing to appoint counsel for him in this case.

AFFIRMED.