

DEC 29 2009

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U.S. COURT OF APPEALS

NOT FOR PUBLICATION

UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

<p>JULIUS LEE JACKSON,</p> <p>Plaintiff - Appellant,</p> <p>v.</p> <p>SERGEANT NUCHOLS; et al.,</p> <p>Defendants - Appellees.</p>
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No. 08-16955

D.C. No. 2:04-cv-00983-LKK-GGH

MEMORANDUM*

Appeal from the United States District Court
for the Eastern District of California
Lawrence K. Karlton, District Judge, Presiding

Submitted December 15, 2009**

Before: GOODWIN, WALLACE, and CLIFTON, Circuit Judges.

Julius Lee Jackson, a California state prisoner, appeals pro se from the district court's judgment in his 42 U.S.C. § 1983 action. We have jurisdiction under 28 U.S.C. § 1291. We review for an abuse of discretion the denial of a

* This disposition is not appropriate for publication and is not precedent except as provided by 9th Cir. R. 36-3.

** The panel unanimously concludes this case is suitable for decision without oral argument. See Fed. R. App. P. 34(a)(2).

motion for appointment of counsel, *Terrell v. Brewer*, 935 F.2d 1015, 1017 (9th Cir. 1991), and we affirm.

The district court did not abuse its discretion by denying Jackson's motions for appointment of counsel because Jackson failed to demonstrate exceptional circumstances. *See id.*

Jackson does not raise any contentions challenging the judgment, and we thus deem any such challenge abandoned. *See Cook v. Schriro*, 538 F.3d 1000, 1014 n.5 (9th Cir. 2008), *cert. denied*, 129 S. Ct. 1033 (2009).

AFFIRMED.