

Dismissed and Opinion filed August 10, 2000.



In The

Fourteenth Court of Appeals

NO. 14-99-00751-CV

JOHN KING DAVIS, Appellant

V.

**BRAZORIA COUNTY DETENTION CENTER INMATE TRUST FUND, ET AL.,
Appellees**

**On Appeal from the 23rd District Court
Brazoria County, Texas
Trial Court Cause No. 6919*199**

OPINION

This is an appeal from a judgment signed January 19, 1999. The clerk's record was filed on February 3, 2000. There is no reporter's record. Appellant's brief was originally due on March 6, 2000. Appellant was granted two extensions of time to file his brief until May 5, 2000. No brief or further request for extension were filed.

On July 10, 2000, notification was transmitted to all parties of the Court's intent to dismiss the appeal for want of prosecution. *See* TEX. R. APP. P. 42.3(b).

The only response this Court received was appellant's request for the appointment of counsel on appeal. While a district judge has the discretion to appoint counsel for an indigent party in a civil case, TEX. GOV'T CODE ANN. § 24.016, the Texas Supreme Court has never recognized a right to counsel in civil cases. *See Travelers Indem. Co. v. Mayfield*, 923 S.W.2d 590, 594 (Tex. 1996). The supreme court noted, however, "in some exceptional cases, the public and private interests at stake are such that the administration of justice may best be served by appointing a lawyer to represent an indigent civil litigant." *Mayfield*, 923 S.W.2d at 594. Appellant has offered no argument supporting a finding that his case represents such an exception so as to warrant appointment of counsel. Appellant has had over five months to prepare and file his brief and has been unable to do so. Therefore, we conclude appellant has not demonstrated a reasonable explanation for failure to timely file his brief or a motion for extension of time.

Accordingly, the appeal is ordered dismissed for want of prosecution.

PER CURIAM

Judgment rendered and Opinion filed August 10, 2000.

Panel consists of Chief Justice Murphy, Justices Hudson and Wittig.

Do Not Publish — TEX. R. APP. P. 47.3(b).