United States Court of Appeals for the Fifth Circuit

United States Court of Appeals
Fifth Circuit
FILED
August 5, 2022
Lyle W. Cayce
Clerk

No. 21-40414
Summary Calendar

MATTHEW ROPPOLO, ET AL.

Plaintiffs,

versus

MEDICAL DIRECTOR LANNETTE LINTHICUM; TEXAS DEPARTMENT OF CRIMINAL JUSTICE; BEN RAIMER; CYNTHIA JUMPER; RODNEY BURROW; F. PARKER HUDSON III; ERIN WYRICK; JOHN BURRUSS; PRESTON JOHNSON, JR.; KELLY GARCIA; OWEN MURRAY; UNIVERSITY OF TEXAS MEDICAL BRANCH CORRECTIONAL MANAGED CARE; DEE BUDGEWATER; PHILIP KEISER,

Defendants—Appellees,

versus

JULIAN DOMINGUEZ,

Appellant.

Appeal from the United States District Court
for the Southern District of Texas
USDC No. 2:19-CV-262

Before STEWART, DUNCAN, and WILSON, *Circuit Judges*.

PER CURIAM:*

Julian Dominguez, former Texas prisoner # 497927, is a class member in a class action alleging that inmates received inadequate medical treatment while in state custody. He now appeals the district court's approval of the class-action settlement. He has also filed a motion for the appointment of counsel on appeal, or, in the alternative, for a stay of the appeal until he is able to hire an attorney. Because Dominguez has not demonstrated exceptional circumstances warranting the appointment of counsel, we deny his request. *Ulmer v. Chancellor*, 691 F.2d 209, 212 (5th Cir. 1982). We also deny his alternative motion to stay the appeal.

We review a district court's approval of a class-action settlement for abuse of discretion. *See Ayers v. Thompson*, 358 F.3d 356, 368 (5th Cir. 2004). Dominguez has not presented any argument that the district court's ruling was an abuse of discretion. He has therefore abandoned, by failure to brief, any challenge to the approval of the settlement. *See Yohey v. Collins*, 985 F.2d 222, 224-25 (5th Cir. 1993); *Brinkmann v. Dallas Cnty. Deputy Sheriff Abner*, 813 F.2d 744, 748 (5th Cir. 1987).

The district court's judgment is AFFIRMED, and Dominguez's motions are DENIED.

* Pursuant to 5TH CIRCUIT RULE 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIRCUIT RULE 47.5.4.