

**United States Court of Appeals  
FOR THE EIGHTH CIRCUIT**

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No. 01-1452

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John Stanley Newberry,

Appellant,

v.

Kenneth McKee, Sheriff, Washington  
County, Arkansas; Jim Renfrow, Sgt.;  
Randall Denzer, Lt.; Bruce Center,  
Deputy; Rick Holly, Deputy; Ridenour,  
Deputy,

Appellees.

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Appeal from the United States  
District Court for the  
Western District of Arkansas.

[UNPUBLISHED]

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Submitted: August 3, 2001

Filed: August 8, 2001

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Before HANSEN, FAGG, and BEAM, Circuit Judges.

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PER CURIAM.

Arkansas inmate John Newberry appeals from the district court's<sup>1</sup> judgment for defendants following a bench trial on his 42 U.S.C. § 1983 excessive-force claim.

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<sup>1</sup>The Honorable Beverly Stites Jones, United States Magistrate Judge for the Western District of Arkansas, to whom the case was referred for final disposition by consent of the parties pursuant to 28 U.S.C. § 636(c).

After careful consideration of the arguments in Newberry's brief, we conclude that the district court's judgment should be affirmed. Newberry fails to direct us to anything in the record which would show that the district court erred in entering judgment against him after crediting defendants' testimony regarding their conduct, see United States v. Wicker, 80 F.3d 263, 268 (8th Cir. 1996) (district court's findings as to credibility of witnesses are virtually unreviewable on appeal), or that it abused its discretion in refusing to appoint counsel, see Stevens v. Redwing, 146 F.3d 538, 546 (8th Cir. 1998) (standard of review; pro se litigant has no statutory or constitutional right to have counsel appointed in civil case).

Accordingly, we affirm, see 8th Cir. R. 47B., and deny all of Newberry's pending motions.

A true copy.

Attest:

CLERK, U.S. COURT OF APPEALS, EIGHTH CIRCUIT.