

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

No. 10-2320

Eugene Kenneth Jones-El, *

Appellant, *

v. *

Dave Dormire; Bill Galloway; Stewart *

Epps; David Webster; R. Marian *

Ortbals; Jay Cassady; John James; *

Nita Branson-Henderson; Mitchell *

Finley; Christine Linsey; Richard *

Martin; Michael Regan; Mike Kemna; *

Edward L. Ruppel; Sandra Webb; *

Debra Reed; Randy Mobley; Norman *

Graham; Nathan Rasher; Rodney *

Kueffer; Charles Turner; Andria *

Galbreath; Dave Courm; George *

Lombardi; Scott Kintner; James Glass; *

Robyn Combs; Kevin Thompson; *

Robert Alderman; Cindy Wansing; *

Jerline Deardeuff, *

Appellees. *

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

[UNPUBLISHED]

Submitted: September 2, 2010

Filed: September 3, 2010

Before MELLOY, BOWMAN, and GRUENDER, Circuit Judges.

PER CURIAM

Eugene Jones-El appeals from the district court's¹ interlocutory orders (1) dismissing one claim prior to service of process for failure to state a claim; and (2) denying without prejudice Jones-El's motion for appointment of counsel. The order dismissing one claim does not constitute a final, appealable order, however, because another claim remains pending, the court did not certify that there was no just reason for delay, and the order does not fall within the "collateral order" exception to the final-judgment rule. See Fed. R. Civ. P. 54(b); Digital Equip. Corp. v. Desktop Direct, Inc., 511 U.S. 863, 867-68 (1994) (collateral-order doctrine). Accordingly we lack jurisdiction over that portion of the appeal.

We have jurisdiction to review the order denying appointment of counsel, see Slaughter v. City of Maplewood, 731 F.2d 587, 588 (8th Cir. 1984), and finding no abuse of discretion, we affirm, see 8th Cir. R. 47A(a). However, we direct the district court to give a more detailed explanation of its reasoning in any future orders denying appointment of counsel. See Nelson v. Shuffman, 476 F.3d 635, 636 (8th Cir. 2007) (per curiam) (affirming order denying appointment of counsel, but directing court to state reasoning in any future orders).²

¹The Honorable Nanette K. Laughrey, United States District Judge for the Western District of Missouri.

²We grant appellant's motion for IFP status.