

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF ALABAMA
SOUTHERN DIVISION

JOHNNY FINN

*

Plaintiff,

*

v.

* CIVIL ACTION NO. 1:05-CV-913-T
(WO)

STATE OF ALABAMA, *et al.*,

*

Defendants.

*

ORDER ON MOTION

Pending before the court is Plaintiff's *Motion for Appointment of Counsel*. (Doc. No.

1.) Plaintiff's request for representation has been read, considered, and the same shall be denied. The court finds from its review of the complaint that Plaintiff is able to adequately articulate the facts and grounds for relief in the instant matter without notable difficulty. Furthermore, the court concludes that Plaintiff's complaint is not of undue complexity and that he has not shown that there are exceptional circumstances justifying appointment of counsel. *See Killian v. Holt*, 166 F.3d 1156, 1157 (11th Cir.1999); *Kilgo v. Ricks*, 983 F.2d 189, 193 (11th Cir. 1993); *see also Fowler v. Jones*, 899 F.2d 1088, 1096 (11th Cir. 1990). Therefore, in the exercise of its discretion, the court shall deny Plaintiff's request for appointment of counsel at this time. The request may be reconsidered if warranted by further developments in this case.

Accordingly, it is ORDERED that Plaintiff's Motion for Appointment of Counsel

(Doc. No. 1), is DENIED.

Done this 28th day of September 2005.

/s/ Delores R. Boyd
DELORES R. BOYD
UNITED STATES MAGISTRATE JUDGE