

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

DERRYLE BROWN,	)	
	)	
Plaintiff,	)	
	)	
v.	)	CIVIL ACTION NO. 2:12CV1010-MEF
	)	(WO)
PROGRESS RAIL SERVICES	)	
KERSHAW DIVISION	)	
	)	
Defendant.	)	

**ORDER**

This action is before the court on plaintiff’s motion for appointment of counsel (Doc. # 8). Plaintiff commenced the present action without the assistance of counsel and, in his motion, provides no indication that he is unable to represent himself. The allegations underlying the plaintiff’s claims for relief are relatively simple and the law applicable to such claims is not complex. “The fact that a plaintiff would be helped by counsel is not sufficient to require appointment.” Rizo v. Alabama Department of Human Resources, 228 Fed. Appx. 832, 834 (11th Cir. 2007)(unpublished opinion). The court concludes that the circumstances of this case do not justify appointment of counsel. See Bass v. Perrin, 170 F.3d 1312, 1320 (11th Cir. 1999)(plaintiff in a civil case has no constitutional right to counsel and court should appoint counsel only in exceptional circumstances); see also Hunter v. Department of the Air Force, 846 F.2d 1314, 1317 (11th Cir. 1988); Wills v. Postmaster General, 300 Fed. Appx. 748, 750 n. 1 (11th Cir. 2008)(unpublished opinion)(subsequent history omitted); Cataldo v. St. James Episcopal School, 213 Fed. Appx. 966, 969 (11th Cir.

2007)(unpublished opinion). Accordingly, it is

ORDERED that the motion for appointment of counsel is DENIED.

DONE, this 30<sup>th</sup> day of November, 2012.

/s/ Susan Russ Walker

SUSAN RUSS WALKER

CHIEF UNITED STATES MAGISTRATE JUDGE