

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

JAMES R. DOWNES, # 281824,)
)
Plaintiff,)
)
v.) CASE NO. 2:15-CV-437-WKW
) [WO]
CARTER DAVENPORT, *et al.*,)
)
Defendants.)

ORDER

On December 9, 2015, Plaintiff filed an objection (Doc. # 86) to the court's order of November 20, 2015 (Doc. #84). The court construes the objection as a motion for reconsideration of the order denying Plaintiff's motions for preliminary injunction. Plaintiff's arguments do not address the requirements he must show in order to warrant the extraordinary relief of a preliminary injunction. Therefore, his motion for reconsideration is due to be denied.

Plaintiff also states that he has requested appointment of counsel "by several motions" and has been denied counsel each time. (Doc. # 86, at 1.) A review of the record shows that Plaintiff did move for appointment of counsel twice, and the motions were denied both times. (Docs. # 4, 8, 41, 42.) His most recent motion was filed on August 18, 2015. (Doc. # 41.) The court construes these assertions as an objection to the order denying appointment of counsel (Doc. # 42). That order

was entered on August 19, 2015, and therefore Plaintiff's objection is due to be denied as untimely. *See* Fed. R. Civ. P. 72(a). In addition, nothing about the denial of Plaintiff's motion for a preliminary injunction changes the facts or circumstances of this case in order to warrant appointment of counsel. *See Bass v. Perrin*, 170 F.3d 1312, 1320 (11th Cir. 1999).

Accordingly, it is ORDERED as follows:

- (1) Plaintiff's motion for reconsideration (Doc. # 87) is DENIED; and
- (2) Plaintiff's objection (Doc. # 86) to the order denying appointment of counsel is OVERRULED.

DONE this 15th day of December, 2015.

/s/ W. Keith Watkins
CHIEF UNITED STATES DISTRICT JUDGE