

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF ALABAMA  
SOUTHERN DIVISION**

<b>DEMETRIS J. FULFORD,</b>	)	
	)	
<b>Plaintiff,</b>	)	
	)	
<b>v.</b>	)	<b>Case No.: 2:16-CV-1692-VEH-JHE</b>
	)	
<b>COI MARKIS L. CRAWFORD,</b>	)	
	)	
<b>Defendant.</b>	)	
	)	

**ORDER ADOPTING AND ACCEPTING MAGISTRATE'S  
RECOMMENDATION AND TRANSFERRING CASE**

On November 2, 2016, the magistrate recommended that this case be transferred to the United States District Court for the Middle District of Alabama. (Doc. 3 at 2). The time for filing objections to the recommendation has expired and no party has objected. However, on November 16, 2016, the Plaintiff filed a Motion for the Appointment of Counsel. (Doc. 4).

Appointment of counsel in civil litigation is not a right, but a privilege justified only by exceptional circumstances, such as where the facts and legal issues are so novel or complex as to require the assistance of a trained practitioner. *Fowler v. Jones*, 899 F.2d 1093, 1096 (11th Cir. 1990). Further, the United States Supreme Court has held that attorneys may not be compelled to accept appointment in § 1983

cases. *Mallard v. United States District Court for the Southern District of Iowa*, 490 U.S. 296, 109 S.Ct. 1814, 104 L.Ed.2d 318 (1989). The issues in this litigation are neither novel nor complex. *See Ulmer v. Chancellor*, 691 F.2d 209 (5th Cir. 1982). Accordingly, plaintiff's Motion for Appointment of Counsel is **DENIED**.

Having carefully reviewed and considered *de novo* all the materials in the court file, including the report and recommendation, the Court is of the opinion that the magistrate judge's report is due to be and is hereby **ADOPTED** and his recommendation is **ACCEPTED**. The clerk of court is hereby **ORDERED** to **TRANSFER** this matter to the United States District Court for the Middle District of Alabama.

**DONE** and **ORDERED** this 13th day of December, 2016.



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**VIRGINIA EMERSON HOPKINS**  
United States District Judge