

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

DOUGLAS CAMPBELL,

Plaintiff,

vs.

BLAKE LAMBERT, *et al.*,

Defendants.

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CIVIL ACTION NO.: 14-00344-CG-B

ORDER

This action is before the Court on Plaintiff Douglas Campbell's Motion for Appointment of counsel (Doc. 41) and Motion for Extension of Time (Doc. 44). Upon consideration, Campbell's Motion for Appointment of Counsel is **DENIED**, and his Motion for Extension of Time is **GRANTED**.

Turning first to Plaintiff's request for counsel, extant case law provides that prisoners raising civil rights claims, like other civil litigants, have no constitutional right to counsel. Kilgo v. Ricks, 983 F.2d 189, 193 (11th Cir. 1993). Pursuant to 28 U.S.C. § 1915(e)(1), a court has broad discretion to appoint counsel for an indigent plaintiff in a civil case only if exceptional circumstances exist. Bass v. Perrin, 170 F.3d 1312, 1320 (11th Cir. 1999). "Exceptional circumstances" include the presence of "'facts and legal issues [which] are so novel or complex as to require assistance of a trained practitioner.'" Kilgo v. Ricks, 983 F.2d at 193 (11th Cir. 1993); Dean v. Barber, 951 F.2d 1210, 1216 (11th Cir. 1992) (noting appointment of counsel is not mandatory except in exceptional

circumstances where the complexity of the case or the competence of plaintiff makes pro se prosecution of the claim fundamentally unfair). A review of Campbell's complaint reveals no exceptional circumstances that would warrant the appointment of counsel. Accordingly, upon consideration of all relevant factors, the undersigned finds that Campbell's request for appointment of counsel is due to be **DENIED** at this time. This order is subject to reconsideration later if the circumstances of the case change.

Also pending is Campbell's request for additional time to file materials in opposition to Defendants' Motion for Summary Judgment. Campbell's request is **GRANTED**, and he is DIRECTED to file any materials in opposition to Defendants' Motion for Summary Judgment no later than **January 27, 2017**.

DONE this **6th** day of **January, 2017**.

/s/ SONJA F. BIVINS
UNITED STATES MAGISTRATE JUDGE