

**IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF ARKANSAS
JONESBORO DIVISION**

JONATHON B. JOHNSON
ADC #140542

PLAINTIFF

V.

3:08CV00084 SWW/JTR

LARRY ZANE BOYD, Administrator,
Crittenden County Detention Center, et al.

DEFENDANTS

ORDER

Plaintiff, who is a prisoner in the Cummins Unit of the Arkansas Department of Correction, has commenced this *pro se* § 1983 action alleging that Defendants failed to protect him from being attacked by another inmate and wrongfully seized his Bible.¹ *See* docket entries #2, #8, #96, and #100.

Plaintiff has requested a jury trial, and the parties have not consented to proceed before a United States Magistrate Judge. *See* docket entry #2. Additionally, the deadline for filing dispositive motions has expired. Accordingly, the Court will notify the Honorable Susan Webber Wright, United States District Judge, that this case is ready to be set on her docket for a jury trial.

Given the seriousness of Plaintiff's claims and his inability to prosecute his claims before a jury without the assistance of counsel, the Court concludes that appointment of counsel in this case is warranted at this time. *See Johnson v. Williams*, 788 F.2d 1319, 1322 (8th Cir. 1986) (explaining that a court may, in its discretion, appoint counsel for a *pro se* prisoner if it is convinced that he has stated a non-frivolous claim and that "the nature of the litigation is such that plaintiff as well as the

¹ The Court has previously dismissed all other claims raised by Plaintiff. *See* docket entries #96 and #100.

court will benefit from the assistance of counsel”). Accordingly, the Court will appoint Mr. Phillip H. McMath, who has been randomly selected from a list of attorneys licensed to practice before this Court. **Additionally, the Court will no longer accept for filing any *pro se* pleadings submitted by Plaintiff – instead, all future pleadings must be filed and signed by Plaintiff’s appointed counsel.** See Local Rule 5.5(c)(2) (providing that: “Every pleading filed in behalf of a party represented by counsel shall be signed by at least one attorney of record”).

IT IS THEREFORE ORDERED THAT:

1. Mr. Phillip McMath of the McMath law firm, 711 West Third Street, Little Rock, AR 72201 is APPOINTED to represent Plaintiff in this § 1983 action.

2. The Clerk is directed to send Mr. McMath a copy of this Order and Local Rule 83.7. If Mr. McMath is unable to obtain the remainder of the file from CM/ECF, he should contact Judge Ray’s Chambers at 501-604-5230 and a copy of the file, or any portion thereof, will be provided to her/him free of charge.

3. The Clerk is directed to refrain from docketing any future *pro se* pleadings submitted by Plaintiff.

Dated this 5th day of January, 2010.


UNITED STATES MAGISTRATE JUDGE