

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

**ROBERT J. LARDE**

**PLAINTIFF**

**VS.**

**CASE NO. 3:10CV00212 JMM**

**UNITED STATES OF AMERICA**

**DEFENDANT**

**ORDER**

The Clerk of the Court is directed to forward a copy of Plaintiff's Motion for Default which the Court construes as a Motion for a Clerk's Default to the United States Attorney Christopher R. Thyer, P.O. Box 1229, Little Rock, AR 72203.

Plaintiff has also filed a Motion for Appointment of Counsel. "There is no statutory or constitutional right to counsel in civil cases." *Phillips v. Jasper County Jail*, 437 F.3d 791, 794 (8th Cir.2006). "The relevant criteria for determining whether counsel should be appointed include the factual complexity of the issues, the ability of the indigent person to investigate the facts, the existence of conflicting testimony, the ability of the indigent person to present the claims, and the complexity of the legal arguments." *Id.*

After reviewing these factors, the Court finds that appointment of counsel would not be necessary at this stage of the litigation. Therefore, Plaintiff's Motion for Appointment of Counsel is denied without prejudice (#8).

IT IS SO ORDERED THIS 25 day of March, 2011.

  
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James M. Moody  
United States District Judge