

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF ARKANSAS
WESTERN DIVISION**

CLARA C. GAITHER

PLAINTIFF

V.

NO. 4:11-cv-00576-KGB

**ARKANSAS FOUNDATION
FOR MEDICAL CARE**

DEFENDANT

ORDER

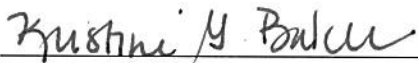
Before the Court is Clara C. Gaither's *pro se* Motion to Appeal Denial for Appointment of Counsel. This Court referred plaintiff's second Motion for Appointment of Counsel (Dkt. No. 32) to United States Magistrate Judge J. Thomas Ray. Judge Ray denied the motion (Dkt. No. 35). He reasoned that "[o]ther than naming three new lawyers who have declined to take her case, Plaintiff has not come forward with *any new information or change in her financial circumstances* warranting reconsideration of Judge Moody's prior determination that she does not financially qualify for court-appointed counsel" (Dkt. No. 35) (emphasis added). Judge Ray concluded that Ms. Gaither's motion with "without merit" (Dkt. No. 35).

After thorough review, Judge Ray's Order (Dkt. No. 35) is affirmed and adopted. Plaintiff has not demonstrated that her financial condition warrants court-appointed counsel. This Court declines to appoint her counsel.

This Court gives Plaintiff notice of Local Rule 5.5(c)(2) of the United States District Court for the Eastern and Western Districts of Arkansas, which states that *pro se* litigants are required to monitor the progress of their case, to prosecute or defend the action diligently, and to

respond to any communication from the Court within thirty (30) days or their case could be dismissed without prejudice.

SO ORDERED this the 28 day of June, 2012.

Handwritten signature of Kristine G. Baker in cursive script.

Kristine G. Baker
United States District Judge