

IN THE UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF ARKANSAS  
FORT SMITH DIVISION

ROBERT LUTHER JOHNSON, JR.

PLAINTIFF

v.

Civil No. 11-2140

SERGEANT RITTER; CAPTAIN  
CONGER, SHERIFF HOLLENBECK,  
Sebastian County, Arkansas; DR.  
TINSMAN; and NURSE LORA

DEFENDANTS

**ORDER**

On October 19, 2011, Plaintiff filed a motion to reconsider (Doc. 12) the order entered on October 7, 2011 (Doc. 9), denying his motion for appointment of counsel. Plaintiff states he has been in special education all of his life. He maintains he does not have the “understanding” to represent himself.

There is no constitutional or statutory right to the appointment of counsel in civil cases. *See Mallard v. United States District Court*, 490 U.S. 296, 301-02 (1989); *Edgington v. Missouri Dept. of Corrections*, 52 F.3d 777, 780 (8th Cir. 1995). After careful review of the file, including supplements to the complaint filed by the Plaintiff (Doc. 7 & Doc. 8), the Court believes Plaintiff has a sufficient understanding of the issues to be able to represent himself. The motion for reconsideration (Doc. 12) is denied.

Dated this 31st day of October 2011.

*/s/ J. Marschewski*

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HON. JAMES R. MARSCHEWSKI  
CHIEF UNITED STATES MAGISTRATE JUDGE