

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

JOSEPH LINDSEY

PLAINTIFF

v.

Case No. 2:13-CV-02192

SHERIFF WILLIAM HOLLENBECK, Sebastian County,
Arkansas; JAIL ADMINISTRATOR JOHN DEVANE;
MEDICAL ADMIN. PAM CARNELL; ASST. MEDICAL
ADMIN. KATHY JONES; INMATE MANAGEMENT
JOHN MILLER; DIRECTOR OF NURSES CINDY
MOORE; and NURSE CHERYL MAKINSON, all in their
official and individual capacities

DEFENDANTS

ORDER

Currently before the Court is Plaintiff Joseph Lindsey's motion (Doc. 25) to review the Magistrate's order (Doc. 19) denying Mr. Lindsey's motions (Docs. 5 and 16) to appoint counsel.

Having reviewed the Magistrate's order and Mr. Lindsey's objections, the Court cannot find that the Magistrate's order was clearly erroneous or contrary to law. Fed. R. Civ. P. 72(a). As stated by the Magistrate, the facts and claims involved in this matter do not appear to be so complex that Mr. Lindsey will be unable to effectively represent himself. Mr. Lindsey has, in fact, adequately represented himself thus far in the litigation. The Court also notes that Mr. Lindsey has filed another motion to appoint counsel, which is currently pending before the Magistrate. The Magistrate is free to re-evaluate appointment of counsel as this litigation progresses in light of any changes in circumstance. In the event his current motion is denied, Mr. Lindsey should avoid filing future motions for appointment of counsel unless he can note a material change in circumstance that would warrant reconsideration by the Magistrate.

IT IS THEREFORE ORDERED that the order (Doc. 19) of the Magistrate denying Mr.

Lindsey's motions (Docs. 5 and 16) to appoint counsel is AFFIRMED.

IT IS SO ORDERED this 13th day of January, 2014.

/s/ P. K. Holmes, III

P.K. HOLMES, III
CHIEF U.S. DISTRICT JUDGE