

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF CALIFORNIA

DONTAY JOHNSON,  
Plaintiff,  
vs.  
C. LOPEZ, *et al.*,  
Defendants.

Case No. 1:12-cv-00018-RRB

**ORDER DENYING**  
**MOTION AT DOCKET 37**

At **Docket 37** Plaintiff Dontay Johnson, a federal prisoner appearing *pro se*, renewed his prior motion to appoint counsel, which the Court denied.<sup>1</sup> As this Court explained in denying Johnson's initial motion, this case involves the use of excessive force in conducting a search, primarily a fact-driven issue that does not involve intricate or complicated questions of law. While this Court is not unmindful of the difficulties faced by individuals proceeding *pro se*, especially prisoners, nothing in Johnson's current motion convinces the Court to reconsider its earlier decision and appoint counsel.

Accordingly, the Emergency Motion for the Appointment of Counsel at **Docket 37** is **DENIED**.

**IT IS SO ORDERED** this 9<sup>th</sup> day of April, 2014.

S/ RALPH R. BEISTLINE  
UNITED STATES DISTRICT JUDGE

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<sup>1</sup> See Dockets 30 (Motion), 32 (Order).