

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO

Civil Action No. 12-cv-00278-REB-CBS

STEPHAN DARRIS,
Plaintiff,

v.

ERICA GILLESPIE, Director (CMI Fox),
Defendant.

AMENDED ORDER¹

Magistrate Judge Craig B. Shaffer

This civil action comes before the court on Mr. Darris's "Request for Counsel/or Referral." Pursuant to the Order of Reference dated February 21, 2012 (Doc. # 7) and the memorandum dated May 16, 2013 (Doc. # 71), this matter was referred to the Magistrate Judge. The court has considered Mr. Darris's request, the pleadings, the entire case file, and the applicable law and is sufficiently advised in the premises.

While indigent civil litigants have no constitutional or statutory right to be represented by a lawyer, *Merritt v. Faulkner*, 697 F.2d 761, 763 (7th Cir. 1983), in its discretion the court "may request an attorney to represent any person unable to afford counsel." 28 U.S.C. § 1915(e)(1). The court may request legal counsel for Mr. Darris by placing this case on the list of cases for which counsel may choose to volunteer. Mr. Darris's circumstances, including his mental health condition, support placing this case on the list for volunteer counsel. Accordingly,

IT IS ORDERED that Mr. Darris's "Request for Counsel/or Referral" (filed May 15, 2013) (Doc. # 70) is GRANTED. The court requests that the Clerk of the Court place this case on the list of cases for which counsel may choose to volunteer. *Mr. Darris is reminded that this Order*

¹ Order (Doc. # 74) amended to add italicized portion at pages 1-2.

does not guarantee that a lawyer will volunteer to represent him. Mr. Darris must continue to proceed pro se as necessary.

DATED at Denver, Colorado, this 20th day of May, 2013.

BY THE COURT:

s/Craig B. Shaffer
United States Magistrate Judge