

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO
Judge Raymond P. Moore**

Civil Action No. 16-cv-02840-RM-SKC

MARK JANNY,

Plaintiff,

v.

JOHN GAMEZ, Colorado Parole Officer, Colorado Department of Corrections, in his individual capacity,

Defendant.

APPOINTMENT ORDER

This matter is before the Court sua sponte. In light of the remand for trial by the United States Court of Appeals for the Tenth Circuit, *Janny v. Gamez*, 8 F.4th 883 (10th Cir. 2021), and Plaintiff's pro se status, and in accordance with D.C.COLO.LAttyR 15, the Court hereby determines that Plaintiff merits appointment of counsel drawn from the Civil Pro Bono Panel.

The Court is satisfied that the following factors and considerations have been met:

- (1) the nature and complexity of the action;
- (2) the potential merit of the claims or defenses of the unrepresented party;
- (3) the demonstrated inability of the unrepresented party to retain an attorney by other means; and
- (4) the degree to which the interests of justice, including the benefits to the court, will be served by appointment of counsel.

Accordingly, it is ORDERED that the Clerk shall select, notify, and appoint counsel to represent Plaintiff in this civil matter, including by seeking the assistance of the Pro Bono Mediation Panel. Plaintiff is advised that the Clerk will select counsel from the Panel; however, there is no guarantee that Panel members will undertake representation in every case selected as part of the Pilot Program. The Court cautions that Plaintiff is responsible for all scheduled matters, including hearings, depositions, motions, and trial. It is further ORDERED that the Plaintiff shall file a status report, on or before July 20, 2022, stating how he wishes to proceed with this case, regardless of whether counsel is appointed.

DATED this 20th day of May, 2022.

BY THE COURT:

A handwritten signature in black ink, appearing to read "Raymond P. Moore", written over a horizontal line.

RAYMOND P. MOORE
United States District Judge