

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE

CAROL ANN JOHNSON-KRUMM,	)	
	)	
Plaintiff,	)	
	)	
v.	)	Civ. No. 16-496-GMS
	)	
CITY OF SEAFORD, et al.,	)	
	)	
Defendants.	)	

**MEMORANDUM**

1. **Introduction.** The plaintiff Carol Ann Johnson-Krumm (“Johnson-Krumm”), filed this civil rights action pursuant to 42 U.S.C. § 1983 as a result of the death of her son Justin M. Johnson. (D.I. 2) She proceeds *pro se* and has paid the filing fee.

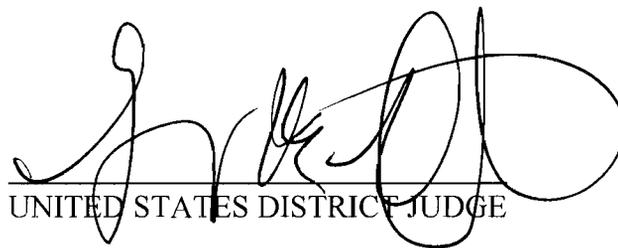
2. **Background.** Johnson-Krumm seeks counsel to assist her in bringing this case and to respond to the pending motion to dismiss. (D.I. 20.) She requests counsel on the grounds that it has been difficult for her to retain counsel due to potential conflicts of interest and/or nepotism. She states that attorneys are reluctant to represent her due to their limited time and availability which she believes is a result of the February 2017 hostage incident at the James T. Vaughn Correctional Center in Smyrna, Delaware.

3. **Request for Counsel.** Pursuant to 28 U.S.C. § 1915(e)(1), the court may request an attorney to represent any personal unable to afford counsel. Section 1915(e)(1) confers the district court with the power to request that counsel represent a litigant who is proceeding *in forma pauperis*. Johnson-Krumm sought, and was denied, *in forma pauperis* status. (D.I. 4.) Hence, she does not qualify for counsel under § 1915. Therefore, the court will deny the request. (D.I. 20.)

4. **Motion for Extension of Time.** The defendants filed a motion to dismiss on February 8, 2017, and Johnson-Krumm was ordered to respond to the motion by on or before March 23, 2017. (D.I. 11, 14.) Johnson-Krumm sought, and was granted, an extension of time and was to respond to the motion on or before April 17, 2017. (D.I. 16, 17.) On May 1, 2017, she filed a second motion for extension of time and the request for counsel, discussed above. (D.I. 19, 20.) Johnson-Krumm will be given one final opportunity to file a response to the motion to dismiss. Therefore, the court will grant the motion. (D.I. 19.)

5. **Conclusion.** For the above reasons, the court will grant the second motion for an extension of time and will deny the request for counsel (D.I. 19, 20.) An appropriate order will be entered.

May 9, 2017  
Wilmington, Delaware

  
UNITED STATES DISTRICT JUDGE