

**UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
FORT MYERS DIVISION**

ANNA KUBIT,

Plaintiff,

-vs-

Case No. 2:08-cv-738-FtM-99SPC

GOOGLE GROUPS AND ALL OTHER
WEBSITES; NICO SAMARA; KIRA KRUMM
INTERIOR DESIGN,

Defendants.

ORDER

This matter comes before the Court on the Plaintiff Anna Kubit's Motion for Appointment of Counsel (Doc. #3) filed on September 29, 2008. The United States Supreme Court has stated that "[t]he pre-eminent generalization that emerges from this Court's precedents on an indigent's right to appointed counsel is that such a right has been recognized to exist only where the litigant may lose [her] physical liberty if [she] loses the litigation." Lassiter v. Dept. of Social Services, 452 U.S. 18, 25, 101 S. Ct. 2153, 68 L. Ed. 2d 640 (1981). The Plaintiff's current action is civil in nature with the Plaintiff alleging defamation of character. The Plaintiff's freedom is not at stake and the outcome of the case does not affect her physical liberty. Therefore, the Motion for appointment of counsel is due to be denied.

Accordingly, it is now

ORDERED:

The Plaintiff Anna Kubit's Motion for Appointment of Counsel (Doc. #3) is **DENIED**.

DONE AND ORDERED at Fort Myers, Florida, this 15th day of October, 2008.


SHERI POLSTER CHAPPEL
UNITED STATES MAGISTRATE JUDGE

Copies: All Parties of Record