

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
JACKSONVILLE DIVISION

GENE REED ROBBINS,

Plaintiff,

vs.

Case No. 3:09-cv-472-J-12JRK

CAPTAIN T. JORDAN,
et al.,

Defendants.

ORDER

1. Defendant Zollo's Motion for Reconsideration (Doc. #55) is **DENIED**.

2. Plaintiff's Motion to Proceed *In Forma Pauperis* (Doc. #60) is **GRANTED** since it appears he is unable to pay the \$350.00 filing fee.

3. Plaintiff's Motions for Reconsideration (Docs. #61, #64) are **GRANTED only to the extent** that Plaintiff may proceed as a pauper and counsel will be appointed to represent Plaintiff. See paragraphs 2 and 7.

4. Defendant Zollo's Motion to Tax Costs of Service of Process and to Dismiss This Action If The Costs Are Not Paid Within A Reasonable Time (Doc. #63) is **DENIED** without prejudice at this time with leave to refile upon completion of the case.

5. Plaintiff's Motion for Enlargement of Time (Doc. #65) is **DENIED as moot**. See paragraph 4.

6. Plaintiff's Motion to Stay and State Why He Should Not Be Taxed The Cost of Service of Process (Doc. #66) is **GRANTED** only with respect to his request for the appointment of counsel contained therein. See paragraph 7. All other portions are **DENIED as moot**. See paragraph 4.

7. Although there is no constitutional or statutory right to appointment of an attorney in this case, the Court, pursuant to the Jacksonville Division Civil Pro Bono Appointment Program, has determined that the appointment of a lawyer for Plaintiff is appropriate given the record of Plaintiff's hardships in prosecuting this action. Therefore, with Plaintiff's consent, **Laura J. Boeckman (Fla. Bar No. 527750)** is now appointed as counsel for Plaintiff Robbins. Appointed counsel should promptly acknowledge this appointment by filing a notice of appearance and beginning the representation. If necessary, counsel may seek reasonable extensions of any currently pending case deadlines.

Pursuant to the cost reimbursement program, the appointed attorney is permitted to be reimbursed for certain costs incurred during the representation. A form explaining the allowable costs and the procedure for obtaining reimbursement is available on the Court's website www.flmd.uscourts.gov.

The Court appreciates the service of appointed counsel.

8. Plaintiff is advised that he should not file motions or other documents on his own behalf since he is now represented by counsel. Any motions or other documents filed by Robbins on his own behalf may be stricken. Plaintiff may contact counsel to confer regarding the prosecution of this action.

DONE AND ORDERED at Jacksonville, Florida this 16th day of December, 2010.

Howell W. Melton
UNITED STATES DISTRICT JUDGE

sc 12/13
c:
Gene Reed Robbins
Laura J. Boeckman
Ass't Attorney General (Graper)
Court Operations Supervisor