

IN THE UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF FLORIDA
PANAMA CITY DIVISION

JACK RAY SMITH,

Petitioner,

v.

CASE NO. 5:11-cv-275-MP-GRJ

SECRETARY,
DEPARTMENT OF CORRECTIONS,

Respondent.

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ORDER

This matter is before the Court on Doc. 19, Petitioner's motion for an extension of 30 days within which to file his response to Respondent's motion to dismiss (Doc. 17). The Court will grant the motion and give Petitioner until April 20, 2012 to respond to the motion to dismiss.

This matter is also before the court on Petitioner's Motion To Appoint Counsel. (Doc. 20.) The appointment of counsel in civil cases is not a constitutional right; rather, it is "a privilege that is justified only by exceptional circumstances, such as where the facts and legal issues are so novel or complex as to require the assistance of a trained practitioner." Poole v. Lambert, 819 F.2d 1025, 1028 (11th Cir. 1987); Bass v. Perrin, 170 F.3d 1712, 1720 (11th Cir. 1999).

Upon reviewing the pleadings in this action, the Court finds that there are no exceptional circumstances to merit the appointment of counsel at this time. The difficulties presented to the *pro se* Plaintiff are typical of those faced by other litigants, and the facts of this case are not complex. Plaintiff's motion for the appointment of counsel will thus be denied.

Accordingly, it is hereby **ORDERED** that:

1. Petitioner's motion (Doc. 19) for an extension of 30 days within which to file his response to Respondent's motion to dismiss is **GRANTED**. Petitioner shall have until **April 20, 2012** to file a response to the motion to dismiss (Doc. 17).
2. Petitioner's Motion To Appoint Counsel (Doc. 20) is **DENIED**.

DONE AND ORDERED this 21st day of March 2012.

s/ Gary R. Jones

GARY R. JONES
United States Magistrate Judge