

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

HENRY WILLIAMS,

Plaintiff,

v.

CASE NO. 5:11-cv-378-MP-GRJ

CULPEPPER, et al.,

Defendants.

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ORDER

This matter is before the Court on Plaintiff's motion to appoint counsel (Doc. 10) and Defendants Culpepper and Sinclair's first motion for extension of time to file an answer or otherwise respond to the first amended complaint (Doc. 13.)

With regard to Plaintiff's motion to appoint counsel the motion is due to be denied at this time. 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). The Defendants have not filed a response yet and therefore at this stage there does not appear to be any issues that are so novel or complex to warrant appointment of counsel.

With regard to Defendants' motion for extension of time, as Defendants point out, the Court normally affords defendants who are employees of the Florida Department of Corrections, sixty days to respond to civil rights complaints because of the additional time involved in serving employees and then routing the paperwork

through the General Counsel's office and finally to assignment to the General Civil Division of the Office of the Attorney General for representation. The Court therefore agrees that additional time to respond is warranted.

Accordingly, upon due consideration, it is **ORDERED**:

1. Plaintiff's motion for appointment of counsel, Doc. 10, is **DENIED**.
2. Defendants' motion to extend time to answer or otherwise respond to the first amended complaint, Doc. 13, is **GRANTED**. Defendants Culpepper and Sinclair shall respond to the first amended complaint on or before **April 9, 2012**.

DONE AND ORDERED this 5th day of March 2012.

s/ Gary R. Jones
GARY R. JONES
United States Magistrate Judge