

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF GEORGIA
VALDOSTA DIVISION

WILLIE PACE,

Plaintiff,

v.

HURST BOILER & WELDING CO.,

Defendant.

Civil Action No. 7:10-CV-116 (HL)

ORDER

Pending before the Court is Plaintiff's Motion to Appoint Counsel (Doc. 2).

A Title VII plaintiff has no automatic right to appointed counsel. Hunter v. Dep't of Air Force Agency, 846 F.2d 1314, 1317 (11th Cir. 1988). However, appointment of counsel is authorized "in such circumstances as the court may deem just." 42 U.S.C. § 2000e-5(f)(1). The decision to appoint counsel is within the district court's discretion. Hunter, 846 F.2d at 1317. Factors the court should consider in determining whether to appoint counsel include the plaintiff's ability to afford counsel, the merits of the plaintiff's case, the plaintiff's efforts to secure counsel, and the plaintiff's capacity to prepare and present the case without the aid of counsel. Id.

Here, Plaintiff has offered nothing more than a bare assertion that he does not have means to employ counsel. He has failed to identify any steps he has taken to secure counsel and has failed to offer any detail about the limitations that prevent him from pursuing his case. Further, there is little in the record at this time from

which the Court can assess the merits of Plaintiff's case. Therefore, the Court finds that Plaintiff has failed to persuade the Court that the circumstances of this case are such that appointment of counsel is warranted.

Accordingly, Plaintiff's Motion to Appoint Counsel (Doc. 2) is denied.

SO ORDERED, this the 21st day of October, 2010.

s/ Hugh Lawson
HUGH LAWSON, SENIOR JUDGE

mbh