

IN THE UNITED STATES DISTRICT COURT FOR THE  
SOUTHERN DISTRICT OF GEORGIA  
AUGUSTA DIVISION

TAWNASKA BOSTIC and T.B.,

Plaintiffs,

v.

MICHAEL J. ASTRUE, Commissioner  
of Social Security,

Defendant.

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CV 112-082

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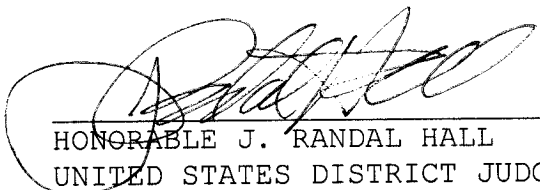
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On May 24, 2012, Plaintiff filed suit seeking judicial review of a decision of the Social Security Administration. (Doc. no. 1, Ex. A.) Plaintiff is proceeding *pro se* on behalf of her minor daughter, T.B. However, the law of this District requires that a non-attorney parent be represented by counsel when bringing an action on behalf of his or her child. Oliver v. Southcoast Med. Grp., LLC, 4:11-CV-115, 2011 WL 2600618, at \*1 (S.D. Ga. June 13, 2011). Therefore, on June 27, 2012, this Court issued an Order requiring Plaintiff to show cause as to why her case should not be dismissed for improper representation. (Doc. no. 4.) On July 19, 2012, Plaintiff responded to the Court's Show Cause Order. (Doc. no. 5.) In her response, Plaintiff asks that the Court review the decision of the Social Security Administration and appoint an attorney to represent her.

A plaintiff in a civil case does not have a constitutional right to counsel, and the Court should appoint counsel only in exceptional circumstances. Bass v. Perrin, 170 F.3d 1312, 1320 (11th Cir. 1999). The fact that a plaintiff would be helped by counsel is not sufficient to require appointment. See id. ("The plaintiffs, like any other litigants, undoubtedly would have been helped by the assistance of a lawyer, but their case is not so unusual that the district court abused its discretion by refusing to appoint counsel.") "Exceptional circumstances" include the presence of "facts and legal issues [which] are so novel or complex as to require assistance of a trained practitioner." Kilgo v. Ricks, 983 F.2d 189, 193 (11th Cir. 1993).

At this juncture, Plaintiff's Complaint does not present facts and legal issues so novel and complex as to constitute exceptional circumstances warranting appointment of counsel. Moreover, because Plaintiff failed to comply with the Court's Show Cause Order, her Complaint is due to be dismissed. However, this case shall be **dismissed without prejudice**. Plaintiff may re-file this action upon obtaining counsel. The Clerk is therefore **DIRECTED** to **TERMINATE** all deadlines and motions, and **CLOSE** this case.

**ORDER ENTERED** at Augusta, Georgia, this 23<sup>rd</sup> day of July, 2012.

  
HONORABLE J. RANDAL HALL  
UNITED STATES DISTRICT JUDGE  
SOUTHERN DISTRICT OF GEORGIA