

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

DAVID O'BRYAN REDD,

Plaintiff,

v.

MAJ. JOHN BUSH, JR., Jail Administrator,
Burke County Jail, and SGT. JACQUELINE
BUSH, Shift Booking Desk Supervisor,
Burke County Jail,

Defendants.

CV 115-195

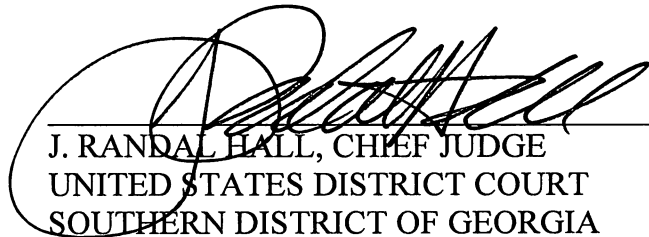
ORDER

After a careful, *de novo* review of the file, the Court concurs with the Magistrate Judge's Report and Recommendation, to which objections have been filed. (Doc. no. 35.) In his objections, Plaintiff requests appointment of counsel. (See *id.* at 1-3.) However, Plaintiff's request is moot because the entire case is due to be dismissed. In any event, as a general rule, there is no entitlement to appointed counsel in a civil rights case such as this one. *Dean v. Barber*, 951 F.2d 1210, 1216 (11th Cir. 1992). Rather, the appointment of counsel is a privilege justified only by exceptional circumstances. *Id.* Plaintiff's filings fail to show that exceptional circumstances exist to justify the appointment of counsel. *Steele v. Shah*, 87 F.3d 1266, 1271 (11th Cir. 1996). Plaintiff has not shown in his motion that his status as a layman prevents him from "presenting the essential merits of his . . . position," which is the key consideration in determining whether the appointment of counsel is

justified. Kilgo v. Ricks, 983 F.2d 189, 193 (11th Cir. 1993). Indeed, Plaintiff has had no problem presenting his case to the Court at every stage of the case.

Accordingly, the Court **ADOPTS** the Report and Recommendation of the Magistrate Judge as its opinion, **DENIES AS MOOT** the request to appoint counsel, **GRANTS** Defendants' motion for summary judgment (doc. no. 27), **CLOSES** this civil action, and **DIRECTS** the Clerk to enter final judgment in favor of Defendants.

SO ORDERED this 18th day of May, 2017, at Augusta, Georgia.


J. RANDAL HALL, CHIEF JUDGE
UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF GEORGIA