

not to provide a right to free legal assistance for such litigants, and in the meantime Scott has not shown good cause to prevent Rule 4(m) dismissal here. To the extent his Rule 4(m) response may be construed as a motion for appointment of counsel under the Court's discretionary authority, it is **DENIED** because Scott has "demonstrated no exceptional circumstances justifying the need for counsel. *See Kilgo v. Ricks*, 983 F.2d 189, 193 (11th Cir. 1993)." *Bell v. Florida Highway Patrol*, 2009 WL 1006070 at * 2 n. 4 (11th Cir. Apr. 15, 2009) (unpublished).

The Court instructed Scott on how to effect proper service of process. (Doc. 7.) He did not do so, and in the face of this Court's demand for an explanation as to why service was not timely perfected, he has not offered any circumstances warranting the preservation of his case. Accordingly, the Court should **DISMISS** Marcus Scott's case **WITHOUT PREJUDICE**.

SO REPORTED AND RECOMMENDED this 4th day of May, 2009.

/s/ G.R. SMITH
UNITED STATES MAGISTRATE JUDGE
SOUTHERN DISTRICT OF GEORGIA