

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF GEORGIA
STATESBORO DIVISION

CAROL WILKERSON,

Plaintiff,

v. 609CV033

H&S LEE, INC., d/b/a SHONEY'S, INC.,

Defendant.

ORDER

Before the Court is Plaintiff Carol Wilkerson's Motion to Compel Discovery and [for] Appointment of Counsel. Doc. # 31. Wilkerson has also filed a motion requesting that the above-referenced motion and all other motions be "presented to the Chief Judge ... [so that she can] get a fair opportunity with [her] motions in this case." Doc. # 32.

Wilkerson's allegations that the case must be presented to the Chief Judge to be fairly addressed are unsupported and unfounded. As a result, her motion to forward her motions to the Chief Judge is denied. *Id.*

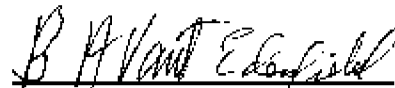
The Magistrate Judge has entered a Report and Recommendation ("R&R") with regards to Defendant's motion to dismiss. Doc. ## 25 (motion to dismiss), 29 (R&R). As a result, discovery is not currently necessary.

Even assuming Wilkerson's case will proceed and counsel would be helpful to her, as a general rule, there is no entitlement to appointed counsel in a civil case. *Fowler v. Jones*, 899 F.2d 1088, 1096 (11th Cir. 1990). "The preeminent generalization that

emerges from this court's precedents on an indigent's right to appointed counsel is that such a right has been recognized to exist only where the litigant may lose his physical liberty if he loses the litigation." *Lassiter v. Dep't of Soc. Serv.*, 452 U.S. 18, 25 (1981). Court-appointed counsel in civil cases is therefore warranted only in "exceptional cases." *Steele v. Shah*, 87 F.3d 1266, 1271 (11th Cir. 1996). Wilkerson has not indicated that this case is exceptionally complex or that some impairment hinders her from investigating and presenting her case herself.

For the foregoing reasons, Wilkerson's motions are ***DENIED***. Doc. ## 31, 32.

This 19th day of July 2010.



B. AVANT EDENFIELD, JUDGE
UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF GEORGIA