

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ILLINOIS**

RODNEY DEES,)	
)	
Plaintiff,)	
vs.)	
)	No. 12-cv-00625-SMY-PMF
ANGELA SMITH, et al.)	
Defendants.)	

MEMORANDUM AND ORDER

THIS MATTER comes before the Court on Plaintiff's Motion for Extension of Time to Respond to the Final Pretrial Order (Doc. 98). In Plaintiff's Motion, he asks the Court for a 15-30 day extension to respond to the Final Pretrial Order and for the Court to appoint counsel. The Court **GRANTS** in part and **DENIES** in part Plaintiff's Motion.

Regarding Plaintiff's request for an extension of time, the Court **GRANTS** Plaintiff's request. The final pretrial conference is **RESET** to **May 6, 2015**, at 1:30 pm and the Trial is **RESET** to **June 1, 2015** at 9:00 am. The Writs at Doc. 93 and 97 are hereby **QUASHED** with new writs to issue.

Although civil litigants have no constitutional or statutory right to be represented by counsel in federal court, *Caruth v. Pinkney*, 683 F.2d 1044, 1048 (7th Cir. 1982), the Court may, in an appropriate case, exercise its discretion to recruit an attorney to represent a person who is unable to afford counsel. 28 U.S.C. § 1915(e)(1); *Mallard v. United States District Court*, 109 S.Ct. 1814 (1989); *Farmer v. Haas*, 990 F.2d 319, 323 (7th Cir. 1993). The Court will not exercise its discretion to recruit counsel until plaintiff makes a reasonable effort to retain counsel or shows that he is effectively precluded from making that effort. *Gil v. Reed*, 381 F.3d 649, 656 (7th Cir. 2004); *Jackson v. County of Maclean*, 953 F.2d 1070, 1072-1073 (7th Cir.1992). Plaintiff has not made such a showing. Although Plaintiff is confined, he has reasonable access to library resources, writing materials, mail, and telephone services. Accordingly, the request is premature and **DENIED** without prejudice.

IT IS SO ORDERED:

DATED: April 13, 2015

/s/ Staci M. Yandle
HON. STACI M. YANDLE