

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

BURL WASHINGTON,)	
)	
Plaintiff,)	
)	
v.)	Case No. 3:12-cv-854-JPG-DGW
)	
MARGARET HODGES, et al.,)	
)	
Defendants.)	

ORDER

WILKERSON, Magistrate Judge:

Now pending before the Court are the Motion for Appointment of Counsel filed by Plaintiff, Burl Washington , on March 13, 2014 (ECF 51) and the Motion for Reconsideration filed by Plaintiff on March 17, 2014 (ECF 53). Both Motions are **DENIED WITHOUT PREJUDICE**.

Plaintiff, who is blind, seeks reconsideration of this Court’s denial of his request for recruitment of counsel. Plaintiff also seeks a rehearing on the issue of exhaustion on which this Court issued a Report and Recommendation on March 14, 2014 (to which Plaintiff has objected).

In a March 3, 2014 Order (ECF 47), this Court denied, without prejudice, Plaintiff’s request for counsel because he failed to show what reasonable efforts he made to secure counsel without Court intervention and he failed to indicate how his “legally blind” status hampered his ability to litigate. Plaintiff now has stated in his motions (and at the *Pavey* hearing held on March 5, 2014), that his blindness prevents him from reading and writing and that he must rely on other inmates in order to present pleadings to the Court. Plaintiff has not, to date, indicated what reasonable steps he has taken to acquire counsel without Court intervention.

This matter is now before the District Court on a recommendation that this matter be dismissed for failure to exhaust. When that threshold issue has been resolved, and if this matter remains pending, Plaintiff may file a Motion for Recruitment of Counsel that should follow the directions contained in the March 3, 2014 Order. A rehearing on the issue of exhaustion is not required at this time.

IT IS SO ORDERED.

DATED: May 6, 2014



DONALD G. WILKERSON
United States Magistrate Judge