

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

JONATHAN G. FORD,)
)
 Plaintiff,)
)
 v.)
)
 WEXFORD HEALTH SOURCES, INC. and)
 DR. DAVID,)
)
 Defendants.)

Case No. 3:15-cv-342-JPG-DGW

ORDER

WILKERSON, Magistrate Judge:

Now pending before the Court is the Motion for Appointment of Counsel and the Motion to Reconsider Protective Order filed by Plaintiff, Jonathan G. Ford, on August 7, 2015 (Docs. 28 and 29). Both Motions are **DENIED**.

This Court previously denied Plaintiff’s original Motion for Recruitment of Counsel, noting that Plaintiff’s claims are not complicated and that he appears capable of pursuing his claims without counsel. In this latest motion, Plaintiff still represents that he has some college education but he has attached an affidavit of Derek J. Burten. Mr. Burten avers that he is a law clerk at the Sheridan Correctional Center, where Plaintiff is housed, and that he no longer will be able to assist Plaintiff because he will be leaving the facility on September 22, 2015. Mr. Burten also represents that Mr. Ford lack legal knowledge or experience with the Federal Rules of Civil Procedure. While neither of these facts are unique to Mr. Ford, the Court may consider appointment of counsel after the issue of exhaustion of administrative remedies has been resolved.

As to the Motion to Reconsider, the Scheduling Order in this matter stays discovery on the merits until the issue of exhaustion has been resolved. Exhaustion of administrative remedies is a

precondition of suit and will be determined prior to any discovery on the merits. If Plaintiff has any arguments or evidence related to exhaustion, he should include them in a response to a motion for summary judgment that may be filed by Defendants by the August 12, 2015 deadline.

IT IS SO ORDERED.

DATED: August 11, 2015



DONALD G. WILKERSON
United States Magistrate Judge