

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

ERVEN ZACHARY TAYLOR WALLS,)

Plaintiff,)

v.)

Case No. 3:16-cv-18-NJR-DGW

THEODORE W. MCABEE and STEPHEN A.)

JOHNSON,)

Defendants.)

ORDER

WILKERSON, Magistrate Judge:

On March 10, 2016, this Court denied without prejudice Plaintiff’s first motion for recruitment of counsel by noting the relatively simple nature of this suit, Plaintiff’s educational background, and the well-written complaint (Doc. 20). The Court instructed Plaintiff that he may refile the motion if he finds the discovery process difficult. Plaintiff now seeks counsel because “all filing” in this case have been done with the assistance of another inmate (Doc. 56). The Court finds Plaintiff’s statement curious in light of his educational background: it is unclear why Plaintiff would require assistance from another inmate in order to file documents in this Court. The Court has had an opportunity to observe Plaintiff at the hearing held on August 25, 2016 and he appeared competent and knowledgeable of the issues in this case and the legal standard to be applied. In addition, Plaintiff filed an objection to the Report and Recommendation based on information that he could only have known from having attended the hearing, understanding the proceedings, and appreciating the consequences of the R & R. Finally, Plaintiff has filed a number of documents that demonstrate his understanding of the manner in which lawsuits are conducted. Thus, the Court finds it disingenuous for Plaintiff to indicate that he has no ability to litigate this matter

without counsel. Counsel will not be recruited in this matter and Plaintiff's Motion is **DENIED** (Doc. 56).

Plaintiff's motion to prepare the record on appeal is **MOOT** (Doc. 63). The record will be prepared by the Clerk of Court if requested by the Court of Appeals.

Defendant's motion for extension of time to depose Plaintiff is **GRANTED** (Doc. 64). Plaintiff's deposition was taken on March 28, 2017 and is deemed timely.

Defendant's motion for extension of time to file answer is **GRANTED** (Doc. 66). Defendant's answer filed in April 20, 2017 is deemed timely.

Finally, Defendants motion for extension of time to file dispositive motions is **GRANTED** (Doc. 72). The dispositive motion filing deadline is extended to **May 15, 2017**.

DATED: May 4, 2017



DONALD G. WILKERSON
United States Magistrate Judge