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UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF INDIANA
INDIANAPOLIS DIVISION

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JOHN BLAYLOCK,	)
	)
Petitioner,	)
	)
vs.	) Case No. 1:16-cv-1609-TWP-MJD
	)
SUPERINTENDENT,	)
	)
Respondent.	)

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Entry On Pending Motions

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On October 28, 2016 Petitioner John Blaylock filed a document that is treated as his second motion for extension of time in which to respond to the return to order to show cause and motion to appoint a public defender. [Dkt. 17].

The motion for extension of time within which to respond to the show cause is **granted**. Mr. Blaylock shall have **through December 1, 2016**, to file a response.

The petitioner's motion to appoint a public defender to represent him in this action is **denied** for two reasons. The first reason is that public defenders are available for criminal defendants only. In civil matters, the court may attempt to recruit counsel for a *pro se* litigant, however there is no pool of lawyers available for appointment purposes. The second reason is that this is not a case in which it is in the interests of justice to make such an appointment. *Cf.* 18 U.S.C. § 3006A(a)(2)(B) ("Whenever . . . the court determines that the interests of justice so require, representation may be provided for any financially eligible person who . . . is seeking relief under section 2241, 2254, or 2255 of title 28."). This conclusion is based on the fact that at this stage in the proceedings, petitioner has adequately expressed and presented his claims, the claims themselves are not complex, and because the Court's review of the matter under 28 U.S.C. §

2254(a) is quite narrow. Should this cases progress to the point where recruitment of counsel is necessary, petitioner may renew his request.

       IT IS SO ORDERED.

Date: 11/1/2016

TANYA WALTON PRATT, JUDGE
United States District Court
Southern District of Indiana

Distribution:

Electronically registered counsel

John R. Blaylock, #860519
New Castle Correctional Facility
Inmate Mail/Parcels
1000 Van Nuys Road
New Castle, IN 47362