

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF INDIANA**

MARCUS RICHARDSON,	)	
	)	
Plaintiff,	)	
	)	
vs.	)	2:11-cv-161-JMS-WGH
	)	
DICK BROWN, et al.,	)	
	)	
Defendants.	)	

**Entry Concerning Selected Matters**

The court, having considered the above action and the matters which are pending, makes the following rulings:

1. The plaintiff's motion for discovery [30] is **denied**. The reason for this ruling is that the motion does not properly seek the production of documents in the manner authorized by Rule 34 of the *Federal Rules of Civil Procedure*.

2. Relief sought in the plaintiff's motion for extension of time [29] is **granted**, consistent with the following: The parties shall have **through April 25, 2012**, in which to complete written discovery and discovery depositions.

3. The plaintiff's motion for default judgment [26] is **denied**. The reason for this ruling is that the defendants are not in default, which is evident because the defendants timely filed an answer to the complaint on January 3, 2012. The plaintiff fails to note that the legal holiday of January 1, 2012, was observed on January 2, 2012.

4. The plaintiff's motion for appointment of counsel has been considered.

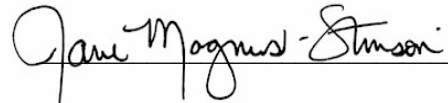
a. The plaintiff has shown a meager effort to recruit counsel from the private market. He should continue that effort.

b. If a further inquiry is thought warranted, it would be to analyze the plaintiff's abilities as related to "the tasks that normally attend litigation: evidence gathering, preparing and responding to motions and other court filings, and trial." *Pruitt v. Mote*, 503 F.3d 647, 654-55 (7th Cir. 2007). The court finds, in this case and at present, that the claims asserted by the plaintiff are not of sufficient complexity or merit as to surpass the plaintiff's

ability to properly develop and present them. First of all, the complaint shows that the plaintiff understands his claims from the standpoint of both its legal basis and its factual underpinnings. Second, the plaintiff appears to be literate, to have access to writing materials, and to have an understanding of the court's processes. As the case develops, the court anticipates that the plaintiff will demonstrate his understanding of the need to adhere to timetables, to work with counsel for the defendants in developing the case for trial or other resolution, and so forth. The plaintiff's claims and the need to responsibly proceed with the development of the case do not appear, at present, to be of a complexity which exceeds the plaintiff's ability to present, even without the guiding hand of counsel. Accordingly, the plaintiff's motion for appointment of counsel [27] is **denied**.

**IT IS SO ORDERED.**

Date: 01/30/2012



Hon. Jane Magnus-Stinson, Judge  
United States District Court  
Southern District of Indiana

Distribution:

MARCUS RICHARDSON  
DOC #944814  
WABASH VALLEY CORRECTIONAL FACILITY - Inmate Mail/Parcels  
6908 S. Old U.S. Highway 41  
P.O. BOX 500  
CARLISLE, IN 47838

All Electronically Registered Counsel