

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF LOUISIANA**

ROBERT LATROY WHITE

CIVIL ACTION

VERSUS

NO. 08-1335

ST. TAMMANY PARISH JAIL, ETAL

SECTION "S"(4)

ORDER

The plaintiff, Robert LaTroy White, filed a **Motion to Reconsider (Rec. Doc. No. 48)** in which he re-urges his request for the Court to appoint counsel in the captioned 42 U.S.C. § 1983 civil rights complaint. He argues that, during the *Spears* Hearing held July 28, 2008, the Court indicated its inclination to appoint counsel in this case. In spite of this, he complains, the Court thereafter denied his written motion to appoint counsel. He now requests that the Court reconsider the appointment of counsel.


After the *Spears* Hearing, the Court conducted a thorough review of the nature of the plaintiff's claims, and determined that this case is not appropriate for the appointment of counsel. *Akasike v. Fitzpatrick*, 26 F.3d 510, 512 (5th Cir.1994) (counsel should only be appointed under exceptional circumstances in a civil rights case); *Wendell v. Asher*, 162 F.3d 887 (5th Cir. 1998) (same); *Robbins v. Maggio*, 750 F.2d 405, 412 (5th Cir. 1985); *Ulmer v. Chancellor*, 691 F.2d 209, 212-13 (5th Cir. 1982); *Hardwick v. Ault*, 517 F.2d 295, 298 (5th Cir. 1975). As a result, the Court

entered its Order (Rec. Doc. No. 20) denying White's request for counsel after carefully considering the appropriate factors. *See Parker v. Carpenter*, 978 F.2d 190, 193 (5th Cir. 1992).

As discussed in the Court's prior order, this case is not complex and White is capable of presenting his case adequately. The claims alleged by White are based on factual situations as opposed to complexities of the law, which require no particular skill to present. White is not required to conduct extensive legal research in order to present the facts of his case to this Court, something he already has demonstrated his ability to do. The record does not present a need for appointment of counsel. Accordingly,

IT IS ORDERED that White's **Motion to Reconsider (Rec. Doc. No. 48)** is **DENIED**.

New Orleans, Louisiana, this 31st day of July, 2009.



KAREN WELLS ROBY
UNITED STATES MAGISTRATE JUDGE