

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF LOUISIANA
SHREVEPORT DIVISION**

ERIC DALE MICKELSON

CIVIL ACTION NO. 15-2589

VERSUS

JUDGE ELIZABETH E. FOOTE

1ST JUDICIAL DISTRICT COURT

MAGISTRATE KAREN L. HAYES

ORDER

Before the Court are three motions filed by Plaintiff: Motion for Oral Arguments, [Record Document 10], Motion for Evidentiary Hearing, [Record Document 11], and Motion To Appoint Counsel, [Record Document 12]. The Court **DENIES** Plaintiff's Motion for Oral Arguments. Oral argument would not assist the Court in addressing Plaintiff's habeas claim. The Court **DENIES** Plaintiff's Motion for Evidentiary Hearing. The Court would consider an evidentiary hearing in this matter only after it rules on the Magistrate's Report and Recommendation. Finally, the Court **DENIES** Plaintiff's Motion To Appoint Counsel. While a district court may appoint counsel for a habeas petitioner when "the interests of justice so require," 18 U.S.C. § 3006A(2)(B) (2012), the Court finds that Plaintiff's habeas claim is uncomplicated so does not warrant appointment of counsel. See Lane v. Goodwin, No. CIV.A. 5:15-1638, 2015 WL 4885066, at *5 (W.D. La. Aug. 14, 2015) ("In resolving [the question of whether the Court should appoint counsel under 18 U.S.C. § 3006A] the court should consider both the legal and factual complexity of the case along with

petitioner's ability to prepare and present his claim.” (citing Abdullah v. Norris, 18 F.3d 571, 573 (8th Cir. 1994))).

THUS DONE AND SIGNED in Shreveport, Louisiana, this 29th day of December, 2015.



ELIZABETH ERNY FOOTE
UNITED STATES DISTRICT JUDGE