

UNITED STATES DISTRICT COURT
DISTRICT OF MAINE

MATTHEW SMALL,)
)
 Plaintiff,)
)
 v.) 2:14-cv-00094-NT
)
 CRISIS AND COUNSELING)
 CENTERS, et al.,)
)
 Defendants)

**ORDER ON PLAINTIFF’S MOTION FOR RECONSIDERATION OF APPOINTMENT
OF COUNSEL**

This matter is before the Court on Plaintiff’s Motion for Reconsideration of Appointment of Counsel. Plaintiff contends that he is unable to afford counsel, and that his status as a prison inmate will make it difficult for him to investigate and prosecute the case, which case, he maintains, involves complex legal issues. The Court previously denied Plaintiff’s request for the appointment of counsel. (ECF No. 5.)

“There is no absolute constitutional right to a free lawyer in a civil case.” *Desrosiers v. Morin*, 949 F.2d 15, 23 (1st Cir. 1991) (citations omitted). “To determine whether there are exceptional circumstances sufficient to warrant the appointment of counsel, a court must examine the total situation, focusing, *inter alia*, on the merits of the case, the complexity of the legal issues, and the litigant’s ability to represent himself.” *Id.* at 24.

Here, particularly given that the matter is in its initial stages, the Court cannot conclude that Plaintiff’s claim has merit, that the issues are complex, or that Plaintiff is unable to represent himself. In fact, Plaintiff’s pleadings to date suggest that he is capable of representing himself.

The Court, therefore, concludes that the appointment of counsel is not warranted. Accordingly, the Court denies Plaintiff's Motion for Reconsideration of Appointment of Counsel.

CERTIFICATE

Any objections to this Order shall be filed in accordance with Fed. R. Civ. P. 72.

So Ordered.

April 17, 2014

/s/ John C. Nivison
U.S. Magistrate Judge