

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MARYLAND**

SAUNDRA BROWN

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v.

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Civil No. JKS 11-1063

MICHAEL J. ASTRUE

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Commissioner of Social Security

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MEMORANDUM OPINION

Presently pending is a motion by Plaintiff Sandra Brown requesting that this court appoint counsel on her behalf. ECF No. 30. This court has the discretion to appoint an attorney to represent a person who is unable to afford counsel. 28 U.S.C § 1915(e)(1). In civil actions, the appointment of counsel may be considered where an indigent claimant presents exceptional circumstances. *Cook v. Bounds*, 518 F.2d 779, 780 (4th Cir. 1975). Whether such circumstances exist rests on the characteristics of the claim and the litigant. *Wisenant v. Yuam*, 739 F.2d 160, 163 (4th Cir. 1984), *abrogated on other grounds by Mallard v. U.S. District Court*, 490 U. S. 296, 298 (1989). The existence of exceptional circumstances results from the complexity of the case and the lack of ability of the individual requesting counsel. *Id.*

Ms. Brown is appealing the denial of her application for social security benefits, a type of claim frequently brought on a *pro se* basis which does not generally require the appointment of counsel. Moreover, Ms. Brown has demonstrated an ability to communicate coherently in pleadings she has filed to date. *See Brock v. City of Richmond*, 52 F.3d 320, *2 (4th Cir. 1995) (unpublished opinion) (noting that a claimant's limitations must be severe, such as the inability to read or write effectively, to be considered exceptional). In addition, she has been represented in this case in the past. Her statement that she lacks legal knowledge and is not able "to

