



constitutional right to a free lawyer in a civil case.”). Rather, pursuant to 28 U.S.C. § 1915(e)(1), the Court maintains broad discretion to “request an attorney to represent any person unable to afford counsel.” 28 U.S.C. § 1915(e)(1); *Weir v. Potter*, 214 F. Supp. 2d 53, 54 (D. Mass. 2002). The Court may request an attorney to represent a plaintiff if it finds that (1) the plaintiff is indigent and (2) exceptional circumstances exist such that the denial of counsel will result in a fundamental unfairness impinging on the party’s due process rights. *DesRosiers*, 949 F.2d at 23. “To determine whether there are exceptional circumstances sufficient to warrant the appointment of counsel, a court must examine the total situation, focusing . . . on the merits of the case, the complexity of the legal issues, and the litigant’s ability to represent himself.” *Id.* at 24.

Even if Arenella is indigent, he has not demonstrated “exceptional circumstances” that warrant appointment of counsel. Rather, Arenella merely asserts (like almost any *pro se* litigant) that he needs assistance to conduct this litigation. Even assuming that Arenella’s case appeared unusually meritorious—which, at this stage, it does not—he has not demonstrated why he is unable to represent himself.

Accordingly, Arenella’s motions to appoint counsel (Docket Nos. 105, 119) are DENIED.

**So Ordered.**

Dated: April 25, 2016

/s/ F. Dennis Saylor  
F. Dennis Saylor IV  
United States District Judge