

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

KEVIN KING, et al.,

Plaintiffs,

Case No. 12-cv-15116
Hon. Matthew F. Leitman

v.

T. WILLIAMS,

Defendant.

**ORDER (1) DENYING WITHOUT PREJUDICE PLAINTIFFS' MOTION
TO REOPEN DISCOVERY (ECF #49), (2) CONDITIONALLY
APPOINTING COUNSEL, AND (3) STAYING CASE**

On March 7, 2012, Plaintiff Kevin King and his wife Cheryl King (collectively "Plaintiffs" or the "Kings"), filed an Amended Complaint against Tiffany Williams ("Williams"), a corrections officer at the Robert Cotton Correctional Facility. (See ECF #12.) Plaintiffs filed their action *pro se*. Unlike criminal cases, there is no constitutional or statutory right to the appointment of counsel in civil cases. *See Lavado v. Keohane*, 992 F.2d 601, 605-606 (6th Cir. 1993). However, this district has a procedure in which cases are referred to a Pro Bono Committee that requests members of the bar to assist in appropriate cases. This Court believes Plaintiffs would benefit from the assistance of appointed pro bono counsel in this matter.

Accordingly, this case is referred to the Pro Bono Committee. Plaintiffs are conditionally granted appointment of counsel provided that the committee is successful in enlisting pro bono counsel. If the committee is unsuccessful, counsel will not be appointed and Plaintiffs will proceed *pro se* or retain counsel at their own expense.

Because the Court is referring this matter to the Pro Bono Committee, **IT IS HEREBY ORDERED** that Plaintiff's Motion to Reopen Discovery (ECF #49) is **DENIED WITHOUT PREJUDICE**. If Plaintiffs still desire to reopen discovery upon the appointment of pro bono counsel (or, in the event pro bono counsel cannot be appointed), they may re-file their motion.

In the interim, and until such time as the Pro Bono committee either appoints counsel or determines that counsel cannot be appointed, this case is **STAYED**.

IT IS SO ORDERED.

s/Matthew F. Leitman
MATTHEW F. LEITMAN
UNITED STATES DISTRICT JUDGE

Dated: December 29, 2014

I hereby certify that a copy of the foregoing document was served upon the parties and/or counsel of record on December 29, 2014, by electronic means and/or ordinary mail.

s/Holly A. Monda

Case Manager

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