

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION**

THOMAS M. MOORE,

Plaintiff,

Case No. 13-11789

v.

HONORABLE DENISE PAGE HOOD

STATE OF MICHIGAN, et al.,

Defendants.

**ORDER DENYING WITHOUT PREJUDICE
APPLICATION FOR APPOINTMENT OF COUNSEL**

On April 22, 2013, Plaintiff Thomas M. Moore filed a Complaint, along with an Application for Appointment of Counsel. At this initial stage of the case, the Court denies without prejudice Plaintiff's request for an appointment of counsel. Parties in civil proceedings, such as this case, do not have a constitutional right to an attorney, and a court will appoint counsel only in exceptional circumstances. *Lanier v. Bryant*, 332 F.3d 999, 1006 (6th Cir. 2003). Appointment of counsel is a privilege that is justified only in exceptional circumstances. *Lavado v. Keohane*, 992 F.2d 601, 604-05 (6th Cir. 1993). Examining the pleadings and documents in the file, the Court analyzes the merits of the claims, the complexity of the case, the *pro se* litigant's prior efforts to retain counsel, and the litigant's ability to present the claims. *Henry v. City of Detroit Manpower Dep't*, 763 F.2d 757, 760 (6th Cir. 1985). The Court does not find exceptional circumstances exists at this time. Plaintiff may request counsel at a later stage of the proceedings after Defendants have been served and Plaintiff is able to show exceptional circumstances.

Accordingly,

IT IS ORDERED that the Application for Appointment of Counsel (**No. 3, filed 4/22/2013**)

is DENIED without prejudice.

S/Denise Page Hood
Denise Page Hood
United States District Judge

Dated: May 29, 2013

I hereby certify that a copy of the foregoing document was served upon counsel of record on May 29, 2013, by electronic and/or ordinary mail.

S/LaShawn R. Saulsberry
Case Manager