

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
SOUTHEASTERN DIVISION

VICTOR R. BURTON,

Plaintiff,

v.

BRYAN HOSKINS, *et al.*,

Defendants.

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Case No. 1:10CV165 SNLJ

MEMORANDUM AND ORDER

This matter is before the Court on plaintiff’s Renewed Motion for Appointment of Counsel (#47).

This is plaintiff’s fourth motion seeking appointment of counsel. On April 5, 2012, the Court explained at length why appointment of counsel was not appropriate at that time (#41). Plaintiff indicates that he now needs counsel because (1) he was transferred to a new prison and no longer has the assistance of another inmate, and (2) plaintiff takes issue with some discovery matters.

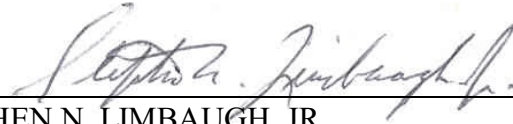
The Court notes that plaintiff appears to have made efforts to obtain counsel but has been unsuccessful. However, plaintiff still appears to be able to litigate this matter, as evidenced by his detailed motion, prior discovery requests, citation of federal rules and authority, discovery motions, and the Court’s issuance of a third-party subpoena upon his request. As to plaintiff’s discovery-related concerns, plaintiff’s earlier discovery motions were denied without prejudice, and, to the extent plaintiff believes he has not received all the documents to which he is entitled, he should file a motion to compel with the Court.

The Court will continue to monitor the progress of this case, and if it appears to this Court that the need arises for counsel to be appointed, the Court will do so.

Accordingly,

IT IS HEREBY ORDERED that plaintiff's Renewed Motion for Appointment of Counsel (#47) is **DENIED** without prejudice.

Dated this 17th day of December, 2012.



STEPHEN N. LIMBAUGH, JR.
UNITED STATES DISTRICT JUDGE