

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
SOUTHEASTERN DIVISION**

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|-----------------------|---|--------------------|
| RODNEY LEE NELSON, |) | |
| |) | |
| Plaintiff, |) | |
| |) | |
| v. |) | No. 1:12CV162 SNLJ |
| |) | |
| MANAC TRAILERS, USA,, |) | |
| |) | |
| Defendants. |) | |

MEMORANDUM AND ORDER

This matter is before the Court upon the filing of plaintiff’s amended complaint. After review of the amended complaint pursuant to 28 U.S.C. § 1915, the Court will order the Clerk to issue process on the amended complaint as to defendant Manac Trailers. Plaintiff’s motion for appointment of counsel, however, will be denied at this time.

There is no constitutional or statutory right to appointed counsel in civil cases. Nelson v. Redfield Lithograph Printing, 728 F.2d 1003, 1004 (8th Cir. 1984). In determining whether to appoint counsel, the Court considers several factors, including (1) whether the plaintiff has presented non-frivolous allegations supporting his or her prayer for relief; (2) whether the plaintiff will substantially benefit from the appointment of counsel; (3) whether there is a need to further investigate and present the facts related to the plaintiff’s allegations; and (4) whether the factual and legal issues presented by the action are complex. See Johnson v. Williams, 788 F.2d 1319, 1322-23 (8th Cir. 1986); Nelson, 728 F.2d at 1005.

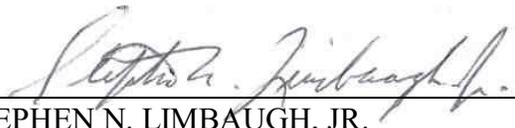
After considering these factors, the Court finds that the facts and legal issues involved, as stated in the amended complaint, are not so complicated that the appointment of counsel is warranted at this time.

Accordingly,

IT IS HEREBY ORDERED that the Clerk shall issue process or cause process to issue on the amended complaint.

IT IS FURTHER ORDERED that plaintiff's motion for appointment of counsel [Doc. #6] is **DENIED**.

Dated this 19th day of November, 2012.



STEPHEN N. LIMBAUGH, JR.
UNITED STATES DISTRICT JUDGE