

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
SOUTHEASTERN DIVISION

STUARD T. SHIPLEY,)	
)	
Plaintiff,)	
)	
v.)	Case No. 1:13CV00038AGF
)	
IRON COUNTY, MISSOURI, <i>et al.</i> ,)	
)	
Defendants.)	

MEMORANDUM AND ORDER

Now before the Court are Plaintiff's motion for appointment of counsel, and two other motions by Plaintiff, in this case brought under 42 U.S.C. § 1983, in which Plaintiff claims deliberate indifference to his serious medical needs.

There is no constitutional right for a pro se plaintiff to have counsel appointed in a civil case, although a district court has discretion to appoint an attorney to handle such a case when necessary. *Phillips v. Jasper Cnty Jail*, 437 F.3d. 791, 794 (8th Cir. 2006).

Among the factors a court should consider in making this determination are the legal and factual complexities of the case, the ability of the plaintiff to investigate the facts and present his claim, and to what degree the plaintiff and the court would benefit from such an appointment. *Id.*


Upon review of the file and the relevant factors, the Court finds that appointment of counsel is unnecessary at this time. Plaintiff has shown the ability to competently handle the legal and factual aspects of this case to this point.

Accordingly,

IT IS HEREBY ORDERED that Plaintiff's motion for appointment of counsel is **DENIED**. (Doc. No. 15).

IT IS FURTHERED ORDERED that Plaintiff's motion for the Court to reconsider the dismissal of Defendant James May is **DENIED**. (Doc. No. 16). Plaintiff did not allege in his amended complaint or in his motion for reconsideration that May actually had knowledge of the complained-of conduct.

IT IS HEREBY ORDERED that in light of Defendant Nash's representation that on July 1, 2013, her Rule 26 Disclosures were mailed to Plaintiff, Plaintiff's motion to compel these Disclosures is **DENIED as moot**. (Doc. No. 20.)



AUDREY G. FLEISSIG
UNITED STATES DISTRICT JUDGE

Dated this 15th day of July, 2013.