

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

JEFFREY A. BECKERMAN, )  
Plaintiff, )  
v. ) No. 1:15CV209 SNLJ  
BRANDY L. HICKEY, et al., )  
Defendants. )

**MEMORANDUM AND ORDER**

This matter is before the Court on plaintiff's motion for extension of time and motion for appointment of counsel.

Plaintiff's motion for extension of time to determine the full name of defendant Jason Unknown is granted. Plaintiff must provide the Court with defendant's full name by February 25, 2016.

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.

Plaintiff has presented non-frivolous allegations in his complaint. However, he has demonstrated, at this point, that he can adequately present his claims to the Court. The facts and legal issues in this case are straightforward. And it does not appear that there is a need to

conduct an investigation into the facts of the case. As a result, the Court will deny the motion for appointment of counsel without prejudice. The Court will entertain future motions for appointment of counsel as the case progresses.

Accordingly,

**IT IS HEREBY ORDERED** that plaintiff's motion for extension of time [ECF No. 10] is **GRANTED**. Plaintiff must inform the Court of defendant Jason Unknown's full name no later than **February 25, 2016**.

**IT IS FURTHER ORDERED** that plaintiff's motion for appointment of counsel [ECF No. 11] is **DENIED** without prejudice.

Dated this 19<sup>th</sup> day of January, 2016.



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STEPHEN N. LIMBAUGH, JR.  
UNITED STATES DISTRICT JUDGE