

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

SCOTT JASON TILLIS,)	
)	
Plaintiff,)	
)	
v.)	No. 4:08CV789 TIA
)	
BOARD OF POLICE)	
COMMISSIONERS, et al.,)	
)	
Defendants.)	

MEMORANDUM AND ORDER

This matter is before the Court upon the motion of plaintiff for leave to commence this action without prepayment of the filing fee pursuant to 28 U.S.C. § 1915. Also before the Court is plaintiff's motion for appointment of counsel.

Upon consideration of the financial information provided with the motion, the Court finds that plaintiff is financially unable to pay any portion of the filing fee. As a result, plaintiff will be granted leave to proceed in forma pauperis pursuant to 28 U.S.C. § 1915.

Additionally, the Court will grant plaintiff's motion for appointment of counsel and will set a date for a second Rule 16 Conference, which plaintiff's appointed counsel will be expected to attend. Plaintiff's motion for sanctions will be denied

without prejudice, as will defendants' motion for leave to file a proposed scheduling plan.

Accordingly,

IT IS HEREBY ORDERED that plaintiff's motion to proceed in forma pauperis [Doc. #53] is **GRANTED**.

IT IS FURTHER ORDERED that plaintiff's motion for appointment of counsel [Doc. #51] is **GRANTED**.

IT IS FURTHER ORDERED that Sara Weilert Gillette of Senniger Powers, 100 N. Broadway, Suite 1700, St. Louis, MO 63102-2728 is appointed to represent Plaintiff in this matter.

IT IS FURTHER ORDERED that plaintiff's motion for sanctions [Doc. #47] is **DENIED** without prejudice.

IT IS FURTHER ORDERED that defendants' motion for leave to file a proposed scheduling plan [Doc. #45] is **DENIED**.

Finally,

An amended order concerning the Rule 16 conference is filed herewith.

/s/ Terry I. Adelman
UNITED STATES MAGISTRATE JUDGE

Dated this 17th day of February, 2009.