

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

TIMOTHY LEROY STRAETEN,)	
)	
Plaintiff,)	
)	
v.)	No. 4:09CV1280 DJS
)	
DON ROPER, et al.,)	
)	
Defendants.)	

MEMORANDUM AND ORDER

Before the Court is plaintiff's post-dismissal letter to the Court,¹ as well as his motion for appointment of counsel.

Plaintiff filed this action on August 11, 2009, pursuant to 42 U.S.C. § 1983. In his complaint seeking monetary damages, plaintiff alleged, in a conclusory fashion, among other things, that he was physically assaulted by another inmate at the direction of several of the named defendants. Plaintiff also claimed, in a conclusory fashion, that he was unlawfully placed on suicide watch, "rustled" in his cell, and verbally threatened. The Court dismissed plaintiff's case for failure to state a claim, on August 26, 2009.

¹Plaintiff's letter was filed in case numbers 4:09CV1132 TCM and 4:09CV812. Plaintiff mentioned in his correspondence that he also wished it to be considered in the instant case.


In a letter, dated December 15, 2009, plaintiff informs the Court that he mailed his offender account statement in August of 2009, and he seeks reassurance that the Court, in fact, received the account statement. The Court received plaintiff's account statement on August 11, 2009, and it was not a factor in the dismissal of his case.

Additionally, plaintiff seeks appointment of counsel to pursue his "case/appeal." As plaintiff's case has been dismissed and his time for appeal has passed, the Court will deny plaintiff's request.

Accordingly,

IT IS HEREBY ORDERED that plaintiff's motion for appointment of counsel [Doc. #9] is **DENIED**.

Dated this 6th day of January, 2010.



CATHERINE D. PERRY
UNITED STATES DISTRICT JUDGE