

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

LAMONT WILLIAMSON,

Plaintiff,

v.

TROY STEELE, et al.,

Defendants.

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No. 4:12-CV-1548 CAS

ORDER

This matter is before the Court on plaintiff's motion for appointment of counsel. The appointment of counsel for an indigent pro se plaintiff lies within the discretion of the Court, as there is no constitutional or statutory right to appointed counsel in civil cases. Phillips v. Jasper County Jail, 437 F.3d 791, 794 (8th Cir. 2006) (citation omitted). The standard for appointment of counsel in a civil case is whether both the plaintiff and the Court would benefit from the assistance of counsel. Edgington v. Missouri Dept. of Corr., 52 F.3d 777, 780 (8th Cir. 1995), abrogated on other grounds, Doe v. Cassel, 403 F.3d 986, 989 (8th Cir. 2005) (citations omitted). This determination involves the consideration of several relevant criteria, which include "the factual complexity of the issues, the ability of the indigent person to investigate the facts, the existence of conflicting testimony, the ability of the indigent person to present the claims, and the complexity of the legal arguments." Phillips, 437 F.3d at 794 (citing Edgington, 52 F.3d at 780).

Upon review of the file in this case, it appears the Court and plaintiff would benefit from the appointment of counsel to represent Lamont Williamson, who is presently proceeding pro se. Plaintiff has been granted leave to proceed in forma pauperis. He has alleged claims of deliberate indifference to serious medical needs. Legal claims involving these issues can be complex and may

not be readily resolved on dispositive motion and may require a trial. The Court, therefore concludes that plaintiff and the Court would likely benefit from the assistance of counsel in this case.

Accordingly,

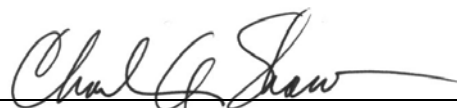
IT IS HEREBY ORDERED that plaintiff's motion for appointment of counsel is **GRANTED**. [Doc. 3]

IT IS FURTHER ORDERED that Eleanor D. Braun of Devereux and Murphy, 190 Carondelet Plaza, Eleventh Floor, St. Louis, MO 63105, telephone number 314-721-1516, is hereby appointed as counsel for the plaintiff.

IT IS FURTHER ORDERED that the Clerk of the Court shall provide appointed counsel with a copy of the complete Court file.

IT IS FURTHER ORDERED that counsel shall file an amended complaint within 30 days of the date of this Order.

Appointed counsel is advised that all applications for disbursement of funds from the Eastern District's Attorney Admission Fee Non-Appropriated Fund are governed by Local Rules 12.03 and 12.06, the Administrative Order of May 5, 2010, concerning the Attorney Admission Fee Non-Appropriated Fund, and the Regulations Governing the Disbursement of Funds from the Non-Appropriated Fund for Attorney's Fees and Out-of-Pocket Expenses Incurred by Attorneys Appointed to Represent Indigent Parties in Civil Proceedings Pursuant to 28 U.S.C. § 1915(e), dated May 5, 2010. The Order and Regulations, as well as form requests for compensation of services and reimbursement of expenses, may be obtained from the Clerk of the Court or printed from the Court's Internet website, www.moed.uscourts.gov.



CHARLES A. SHAW
UNITED STATES DISTRICT JUDGE

Dated this 13th day of March, 2013.