

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

CHARLES LIONEL HOWERTON,)	
)	
Plaintiff,)	
)	
vs.)	No. 4:12CV01582 AGF
)	
MICHAEL ASTRUE, Commissioner of)	
Social Security,)	
)	
Defendant.)	

MEMORANDUM AND ORDER


This matter is before the Court on Plaintiff's motion for appointment of counsel. Plaintiff filed a pro se complaint seeking judicial review of the denial of disability benefits under the Social Security Act. Plaintiff's petition to proceed in forma pauperis was granted, and he now seeks the appointment of counsel.

There is no constitutional right for an indigent 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 County Jail*, 437 F.3d 791, 794 (8th Cir. 2006). Among the factors a court should consider in making this determination are the factual complexity of the case; the ability of the plaintiff to investigate the facts and present his claim; and the complexity of the legal arguments. *Id.* at 794.

The Court finds that appointment of counsel is unwarranted in this case at this time.

Accordingly,

IT IS HEREBY ORDERED that Plaintiff's motion for appointment of counsel is
DENIED. (Doc. No. 4.)



AUDREY G. FLEISSIG
UNITED STATES DISTRICT JUDGE

Dated this 13th day of December, 2012.