

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

DARRELL I. BOLDEN a/k/a)
Yusuf Abdullah El,)
)
Plaintiff,)
)
v.)
)
ST. LOUIS COUNTY CIRCUIT)
COURT, et al.,)
)
Defendants.)

No. 4:13-CV-1556-JAR

MEMORANDUM AND ORDER

Before the Court is plaintiff’s motion for appointment of counsel [Doc. #11]. The Court notes that the motion was signed on September 16, 2013, and was received by the Court on September 18, 2013. The Court dismissed this action on September 17, 2013, pursuant to 28 U.S.C. § 1915(e)(2)(B) [Docs. # 8 and #9]. Although the Court has already dismissed the instant action, it will review the merits of plaintiff’s motion and explain why appointment of counsel is not warranted in this case.

Plaintiff’s grounds in support of his request for appointment of counsel are (1) he believes he is entitled to redress and because of his poverty; (2) he is unable to pay a reasonable attorney fee; and (3) despite his diligent efforts to obtain legal counsel, he has been unable to do so.

“A pro se litigant has no statutory or constitutional right to have counsel appointed in a civil case.” *Stevens v. Redwing*, 146 F.3d 538, 546 (8th Cir. 1998). When determining whether to appoint counsel for an indigent litigant, the Court considers relevant factors, such as the complexity of the case, the ability of the pro se litigant to investigate the facts, the existence of conflicting testimony, and the ability of the pro se litigant to present his or her claim. *Id.*

After reviewing these factors, the Court finds that the appointment of counsel would not be warranted. This case is neither factually nor legally complex, and plaintiff was able to adequately set forth his claims in clear and concise manner. Moreover, the fact remains that Missouri courts are not suable entities under 42 U.S.C. § 1983, and judges are entitled to absolute immunity for all judicial decisions not taken in a complete absence of jurisdiction. For these reasons, plaintiff’s motion will be denied.

Accordingly,

IT IS HEREBY ORDERED that plaintiff’s motion for appointment of counsel [Doc. #11] is **DENIED**.

IT IS HEREBY CERTIFIED that an appeal from this Order would not be taken in good faith. *See* 28 U.S.C. § 1915(a)(3).

Dated this 23rd day of October, 2013.

A handwritten signature in black ink that reads "John A. Ross". The signature is written in a cursive style and is positioned above a horizontal line.

JOHN A. ROSS
UNITED STATES DISTRICT JUDGE