

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MISSOURI  
EASTERN DIVISION

VERNON WILSON, )  
Petitioner, )  
vs. ) Case No. 4:13CV02164 AGF  
UNITED STATES OF AMERICA, )  
Respondent. )

**MEMORANDUM AND ORDER**

This matter is before the Court on habeas Petitioner's motion for appointment of counsel to properly prepare a brief on his behalf in this action that he filed under 28 U.S.C. § 2255. There is no constitutional right for a pro se habeas petitioner to have counsel appointed, although a court has discretion to appoint an attorney when necessary. *Morris v. Dormire*, 217 F.3d 556, 558 (8th Cir. 2000). Among the factors a court should consider in making this determination are the factual and legal complexity of the case, the ability of the petitioner to present the facts and present his claims, and the degree to which the petitioner and the court would benefit from such an appointment. *Id.* Upon review of the record, the Court does not believe that the appointment of counsel is necessary at this stage of the proceedings.

Accordingly,

**IT IS HEREBY ORDERED** that Petitioner's motion for appointment of

counsel is **DENIED**. (Doc. No. 3.)

  
AUDREY G. FLEISSIG  
UNITED STATES DISTRICT JUDGE

Dated this 4<sup>th</sup> day of December, 2013.