

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

GEORGE PROBY, JR.,	)	
	)	
Plaintiff,	)	
	)	
v.	)	No. 4:14cv1355 HEA
	)	
D. R. BULLOCK, et. Al.,	)	
	)	
Defendants.	)	

**OPINION, MEMORANDUM AND ORDER**

This matter is before the Court on Plaintiff's motion for appointment of counsel [Doc. #71]. The motion will be denied, without prejudice.

There is no constitutional or statutory right to appointed counsel in civil cases. Nelson v. Redfield Lithograph Printing, 728 F.2d 1003, 1004 (8th Cir. 1984). In determining whether to appoint counsel, the Court considers several factors, including (1) whether the plaintiff has presented non-frivolous allegations supporting his or her prayer for relief; (2) whether the plaintiff will substantially benefit from the appointment of counsel; (3) whether there is a need to further investigate and present the facts related to the plaintiff's allegations; and (4) whether the factual and legal issues presented by the action are complex. See Johnson v. Williams, 788 F.2d 1319, 1322–23 (8th Cir. 1986); Nelson, 728 F.2d at 1005.

After considering these factors, the Court finds that the appointment of counsel is not warranted at this time. This case is neither factually nor legally complex. Moreover, it is evident that Plaintiff is able to present claims.

Accordingly,

**IT IS HEREBY ORDERED** that Plaintiff's motions for appointment of counsel [Doc. #71] are **DENIED WITHOUT PREJUDICE**.

Dated this 16<sup>th</sup> day of November, 2015.

A handwritten signature in cursive script, reading "Henry Edward Auirey", with a long horizontal flourish extending to the right.

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HENRY EDWARD AUIREY  
UNITED STATES DISTRICT JUDGE