

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

|                           |   |                    |
|---------------------------|---|--------------------|
| MICHAEL MAYER,            | ) |                    |
|                           | ) |                    |
| Plaintiff,                | ) |                    |
|                           | ) |                    |
| v.                        | ) | No. 4:14CV1356 JCH |
|                           | ) |                    |
| UNKNOWN CHAMBERS, et al., | ) |                    |
|                           | ) |                    |
| Defendants.               | ) |                    |

**MEMORANDUM AND ORDER**

This matter is before the Court on Plaintiff’s motion for appointment of counsel. The motion will be denied.

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. The case is neither factually nor legally complex. Moreover, it is evident that Plaintiff is able to present his claims, because the Court has ordered defendant Chambers to respond to plaintiff’s claims. The Court finds that the appointment of counsel would be premature at this juncture.

The Court further notes that plaintiff, in response to the Clerk's October 15, 2014 letter to plaintiff, has provided the Court with service information and forms related to defendant Chambers. Defendant Chambers was served by the United States Marshal via certified U.S. Mail. [ECF No. 12]. No further action is needed by plaintiff with respect to service.

Accordingly,

**IT IS HEREBY ORDERED** that plaintiff's motion for appointment of counsel is **DENIED WITHOUT PREJUDICE**.

Dated this 4<sup>th</sup> day of December, 2014.

/s/ Jean C. Hamilton  
JEAN C. HAMILTON  
UNITED STATES DISTRICT JUDGE