

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

BRADLEY L. BROWN, II,)	
)	
Plaintiff,)	
)	
v.)	Case No. 4:15CV1539 RLW
)	
IAN WALLACE,)	
)	
Defendant.)	
)	

MEMORANDUM AND ORDER

This matter is before the Court on Plaintiff’s Motion to Re-Consider Appointment of Counsel (ECF No. 9) and Request for 90-Day Extension to Prepare Traverse (ECF No. 10).

With respect to Plaintiff’s Motion for Appointment of Counsel, there is no constitutional or statutory right to appointed counsel in a civil case. *Nelson v. Redfield Lithograph Printing*, 728 F.2d 1003, 1004 (8th Cir. 1984). In determining whether to appoint counsel, courts consider factors that include whether the plaintiff has presented non-frivolous allegations supporting his prayer for relief, whether the plaintiff will substantially benefit from the appointment of counsel, whether there is a need to further investigate and present the facts related to the plaintiff’s allegations, and whether the factual and legal issues presented by the action are complex. *See Battle v. Armontrout*, 902 F.2d 701, 702 (8th Cir. 1990); *Johnson v. Williams*, 788 F.2d 1319, 1322-23 (8th Cir. 1986); *Nelson*, 728 F.2d at 1005.

After considering Plaintiff's Motion to Re-Consider Appointment of Counsel, in view of the relevant factors, the Court finds that the facts and legal issues presented in the instant case are not so complex as to warrant the appointment of counsel at this time. In addition, the pleadings filed by Bradley L. Brown, II, indicate that he is capable of presenting the facts and legal issues without the assistance of counsel. Plaintiff's Motion to Re-Consider Appointment of Counsel will therefore be denied.


Finally, for good cause shown, the Court will grant Plaintiff's Request for 90-Day Extension to Prepare Traverse.

Accordingly,

IT IS HEREBY ORDERED that Plaintiff's Motion to Re-Consider Appointment of Counsel (ECF No. 9) is **DENIED**, without prejudice.

IT IS FURTHER ORDERED that Request for 90-Day Extension to Prepare Traverse (ECF No. 10) is **GRANTED**. Plaintiff shall file his traverse no later than **March 23, 2016**.

Dated this 28th day of December, 2015.



RONNIE L. WHITE
UNITED STATES DISTRICT JUDGE