

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

JAMES M. SCOTT,)	
)	
Plaintiff,)	
)	
v.)	No. 4:16CV966 JAR
)	
DR. UNKNOWN NWAOBASI, et al.,)	
)	
Defendants.)	

MEMORANDUM AND ORDER

This matter is before the Court upon the motion of Plaintiff James M. Scott for the appointment of counsel (Doc. No. 6. After review of the record in this matter, the Court declines to appoint counsel to Plaintiff at this time. There is no constitutional or statutory right to appointed counsel in civil cases. Ward v. Smith, 732 F.3d 940, 942 (8th Cir. 2013); 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 nonfrivolous 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 the facts and legal issues involved in this action are not so complicated that the appointment of counsel is warranted at this time. As such, Plaintiff’s motion for appointment of counsel will be denied, without prejudice.

Accordingly,

IT IS HEREBY ORDERED that Plaintiff's Motion for Appointment of Counsel [6] is **DENIED** without prejudice.

Dated this 31st day of October, 2016.



JOHN A. ROSS
UNITED STATES DISTRICT JUDGE