

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

JARED MARTEL WILLIAMS,)

Plaintiff,)

v.)

No. 4:17-CV-1282 NCC

UNKNOWN MITCHELL, et al.,)

Defendants.)

MEMORANDUM AND ORDER

Plaintiff moves for appointment of counsel. After considering the motion and the pleadings, the motion is denied without prejudice to refileing at a later time.

Plaintiff, who is currently incarcerated at the Jefferson City Correctional Center, brings this action pursuant to 42 U.S.C. § 1983 alleging violations of his civil rights. He alleges that he was subjected to excessive force by several correctional officers in July of 2012 when he was incarcerated at the St. Louis City Justice Center. Plaintiff also asserts that two officers failed to intervene in the altercation and should be held individually liable for their actions.

In his motion for appointment of counsel, plaintiff asserts that because he is in prison, his ability to litigate this case will be greatly limited once discovery and trial begin. However, at this stage of the litigation, plaintiff has presented non-frivolous allegations in his complaint, and he has demonstrated that he is able to represent himself. See *Nelson v. Redfield Lithograph Printing*, 728 F.2d 1003, 1004 (8th Cir. 1984). Additionally, neither the factual nor the legal issues in this case are complex.

Once defendants file their answer or other responsive pleading in this matter, the Court will be able to ascertain more about the progression of this case. After this time, the Court will entertain future motions for appointment of counsel.

Accordingly,

IT IS HEREBY ORDERED that plaintiff's motion for appointment of counsel [Doc. #17] is **DENIED** without prejudice.

Dated this 6th day of February, 2018.

/s/ Noelle C. Collins
NOELLE C. COLLINS
UNITED STATES MAGISTRATE JUDGE