

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MISSOURI  
EASTERN DIVISION

ROBERT WHITLOCK,	)	
	)	
Plaintiff,	)	
	)	
vs.	)	Case No. 4:21-cv-00516-SEP
	)	
ST. LOUIS COUNTY,	)	
	)	
Defendant.	)	

**MEMORANDUM AND ORDER**

Before the Court is Plaintiff Robert Whitlock’s motion for leave to commence this action without payment of the required filing fee. Doc. [2]. Upon consideration of the financial information provided with the application, the Court finds the Plaintiff is unable to pay any portion of the filing fee. See 28 U.S.C. § 1915(a). Therefore, Plaintiff will be granted leave to proceed *in forma pauperis*.

Also before the Court is Plaintiff’s motion for appointment of counsel. Doc. [3]. “A pro se litigant has no statutory or constitutional right to have counsel appointed in a civil case.” *Stevens v. Redwing*, 146 F.3d 538, 546 (8th Cir. 1998). When determining whether to appoint counsel for an indigent litigant, the Court considers factors such as the complexity of the case, the ability of the self-represented litigant to investigate the facts, the existence of conflicting testimony, and the ability of the self-represented litigant to present his or her claim. *Id.* Plaintiff brings this action under Title VII of the Civil Rights Act of 1964, 42 U.S.C. §§ 2000e, *et seq.*, for alleged gender discrimination and retaliation. Doc. [1]. St. Louis County is the sole defendant. Plaintiff has filed his April 16, 2021, right-to-sue letter, Doc. [1-1], and his charge of discrimination, Doc. [5]. Considering the relevant factors for the appointment of counsel and the factual allegations in the Complaint, the Court finds that the facts and legal issues involved are not so complicated that the appointment of counsel is warranted at this time. Plaintiff has presented non-frivolous

allegations in his Complaint against Defendant and has demonstrated, at this point, that he can adequately present his claims to the Court. The Court will entertain future motions for appointment of counsel as the case progresses.

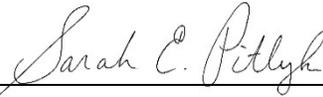
Accordingly,

**IT IS HEREBY ORDERED** that Plaintiff's motion for leave to proceed *in forma pauperis* (Doc. [2]) is **GRANTED**.

**IT IS FURTHER ORDERED** that Plaintiff's motion for appointment of counsel (Doc. [3]) is **DENIED**.

**IT IS FINALLY ORDERED** that the Clerk of Court shall issue process or cause process to issue on the Complaint at the address for Defendant provided by Plaintiff.

Dated this 15<sup>th</sup> day of July, 2021.



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SARAH E. PITLYK  
UNITED STATES DISTRICT JUDGE