

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

JACKIE ROBERTS,)	
)	
Plaintiff,)	
)	
v.)	No. 4:24-CV-1066-AGF
)	
FEDEX GROUNDS,)	
)	
Defendant.)	

MEMORANDUM AND ORDER

This matter is before the Court upon the application of self-represented plaintiff Jackie Roberts for leave to commence this action without payment of the required filing fee. ECF No. 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. ECF No. 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 relevant 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 the Age Discrimination in Employment Act of 1967 (“ADEA”), as amended, 29 U.S.C. §§ 621, *et seq.*, for alleged employment discrimination based on her age. Although plaintiff does not check the box for bringing a claim under Title VII of the Civil Rights Act of 1964 (“Title VII”), she also alleges employment discrimination on the basis of

her religion. ECF No. 1. FedEx Grounds is named as the sole defendant. Plaintiff submitted her Notice of Right to Sue letter to her complaint. ECF No. 1-1. Plaintiff has also filed her charge of discrimination. ECF No. 8.

After 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 her complaint against defendant and has demonstrated, at this point, that she can adequately present his claims to the Court. The Court will entertain future motions for appointment of counsel as the case progresses.

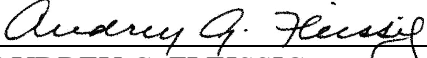
Accordingly,

IT IS HEREBY ORDERED that plaintiff's motion for leave to proceed in forma pauperis [ECF No. 2] is **GRANTED**.

IT IS FURTHER ORDERED that plaintiff's motion for appointment of counsel [ECF No. 3] is **DENIED at this time**.

IT IS FURTHER ORDERED that the Clerk of Court shall issue process or cause process to issue on the employment discrimination complaint at the address for defendant provided by plaintiff.

Dated this 24th day of September, 2024.



AUDREY G. FLEISSIG
UNITED STATES DISTRICT JUDGE