

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

JESSICO BUCHANAN,)	4:13CV3172
)	
Plaintiff,)	
)	
v.)	MEMORANDUM
)	AND ORDER
HURT, Corporal, All defendants sued)	
in their individual and official)	
capacity, KLINE, Officer, All)	
defendants sued in their individual)	
and official capacity, STEINBECK,)	
Sgt., All defendants sued in their)	
individual and official capacity,)	
DENNIS BAKEWELL, All)	
defendants sued in their individual)	
and official capacity, and ROBERT)	
HOUSTON, All defendants sued in)	
their individual and official capacity,)	
)	
Defendants.)	

This matter is before the court on Plaintiff’s Motion for the Appointment of Counsel (Filing No. [41](#)). As previously explained to Plaintiff, the court cannot routinely appoint counsel in civil cases. In *Davis v. Scott*, [94 F.3d 444, 447 \(8th Cir. 1996\)](#), the Eighth Circuit Court of Appeals explained that “[i]ndigent civil litigants do not have a constitutional or statutory right to appointed counsel. The trial court has broad discretion to decide whether both the plaintiff and the court will benefit from the appointment of counsel[.]” *Id.* (internal citation and quotation marks omitted). No such benefit is apparent here at this time. Thus, the request for the appointment of counsel will be denied.

Defendants’ Motion to Dismiss (Filing No. [39](#)) and Plaintiff’s Brief in opposition to the motion (Filing No. [42](#)) remain pending.

IT IS THEREFORE ORDERED that: Plaintiff's Motion for the Appointment of Counsel (Filing No. [41](#)) is denied at this time.

DATED this 7th day of May, 2015.

BY THE COURT:

s/ John M. Gerrard
United States District Judge

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