## IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF NEBRASKA

ELEAZAR GARCIA,

Plaintiff,

VS.

DAVID W. COOMBS, JR., Special Deputy U.S. Marshal, in his individual capacity; JACOB P. BETSWORTH, Special Deputy U.S. Marshal, in his individual capacity; and JEFF DAVIS, Sarpy County Sheriff, in his individual capacity,

Defendants.

4:20CV3049

MEMORANDUM AND ORDER

Plaintiff has filed a Motion to Appoint Counsel (Filing 30). 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.* (quotation and citation omitted). No such benefit is apparent at this time. Thus, the request for the appointment of counsel will be denied without prejudice.

IT IS ORDERED that Plaintiff's Motion to Appoint Counsel (Filing 30) is denied without prejudice.

DATED this 8th day of December, 2020.

BY THE COURT:

Richard G. Kopf (

Senior United States District Judge

Richard G. Kop