

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

LAURENCE R. GOODEN,)
)
 Plaintiff,)
)
 v.)
)
 JEFFREY L. NEWTON,)
 Director/Facility Administrator for)
 Douglas County Dept. of Corrections,)
)
 Defendant.)

8:07CV319

**MEMORANDUM
AND ORDER**

Plaintiff filed a Motion to Appoint Counsel. (Filing No. [23](#)). However, 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 here. The request for the appointment of counsel is therefore denied without prejudice.

IT IS THEREFORE ORDERED that Plaintiff’s Motion to Appoint Counsel (filing no. [23](#)) is denied.

October 8, 2008.

BY THE COURT:

s/ Joseph F. Bataillon
Chief United States District Judge