

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

KIMBERLY S. FAY,)	8:12CV361
)	
Plaintiff,)	
)	
v.)	MEMORANDUM
)	AND ORDER
DOUGLAS COUNTY, NE, COUNTY)	
COMMISSIONERS, JAN PELLETIER,)	
TERRIE MCKENNA, VIRIDIE)	
JOHNSON, EMPLOYEE’S UNITED)	
LABOR ASSOCIATION, and JAMES)	
WALTER CRAMPTON,)	
)	
Defendants.)	

Plaintiff Kimberly Fay has filed a motion seeking the appointment of counsel. (Filing No. [11](#).) 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. Thus, the request for the appointment of counsel is denied without prejudice to reassertion.

IT IS THEREFORE ORDERED that: Plaintiff’s Motion to Appoint Counsel (Filing No. [11](#)) is denied without prejudice.

DATED this 13th day of March, 2013.

BY THE COURT:

s/ Joseph F. Bataillon
United States District Judge

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