Chapman v. Anderson et al Doc. 67

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

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| BILLIE JOE CHAPMAN, Mentally Handicapped,<br><br>Plaintiff,<br><br>v.<br><br>CHRIS ANDERSON, et al.,<br><br>Defendants. | ) | 8:12CV370<br><br><br><br>**MEMORANDUM AND ORDER** |

Plaintiff has filed a motion seeking the appointment of counsel. (Filing No. 62.) 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. 62) is denied without prejudice.

DATED this 17th day of April, 2014.

BY THE COURT:

*Richard G. Kopf*
Senior United States District Judge

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