

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

CORNELIUS BROWN, )  
 )  
 Plaintiff, )  
 )  
 v. )  
 )  
 DEPARTMENT OF HEALTH AND )  
 HUMAN SERVICES, COURTNEY )  
 PHILIPS, Director, SHANNON )  
 BLACK, Program Director, KYLE )  
 MALONE, SOS Team Leader, )  
 WILLIAM BECKER, Program )  
 Therapist, CINDY DYKEMAN, )  
 Program Manager, and LISA )  
 LAURELL, Program Social Worker, )  
 et. al., )  
 )  
 Defendants. )  
 )

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8:16CV377

**ORDER**

Plaintiff has filed a Motion to Appoint Counsel. (Filing No. [9](#).) 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). As the defendants have not yet been served and filed answers or dispositive motions, no such benefit is apparent at this time. Thus, Plaintiff’s request for the appointment of counsel will be denied.

IT IS ORDERED that Plaintiff’s Motion for Appointment of Counsel (Filing No. [9](#)) is denied without prejudice.

DATED this 7th day of December, 2016.

BY THE COURT:  
 s/ *Richard G. Kopf*  
 Senior United States District Judge