

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

RILEY NICOLE SHADLE,

Plaintiff,

vs.

SCOTT FRAKES, et. al;

Defendants.

8:16CV546

ORDER

There is some reason to believe that Shadle may suffer from “Gender Identity Disorder” (GID) (now referred to in the DSM-V as “Gender Dysphoria” (GD)). Shadle claims that he has not been treated for this condition while in prison. He also asserts that he may have been diagnosed with this condition prior to entry into prison. My brief review of the law in the Eighth Circuit has convinced me that I should appoint counsel in this matter because the state of the law is not clear and the facts of the case are unclear.

With the foregoing in mind, I contacted attorney Michael Gooch, who has agreed to represent Shadle. I thank Mr. Gooch for his service.

Therefore,

IT IS ORDERED:

1. Plaintiff’s motion for appointment of counsel, (Filing No. 28), is granted, and Michael Gooch is hereby appointed to represent Plaintiff. He shall promptly enter his appearance.
2. With the agreement of Chief Judge Smith Camp, and pursuant to the Amended Plan for the Administration of the Federal Practice Fund and the Federal Practice Committee, Part II.A.1.a, the Clerk shall promptly disburse to Mr. Gooch \$1,000 as an initial fee. Mr. Gooch shall be paid an additional fee of \$1,000 upon completion of the case. Should Plaintiff succeed and Mr. Gooch is awarded attorney fees and expenses as a prevailing party that exceed \$2,000 plus expenses, he shall reimburse the fund for the fees and expenses paid from the Federal Practice Fund. Mr. Gooch may also seek prior ex parte authorization from the undersigned District

Judge for additional funds to be disbursed from the Federal Practice Fund to defray his necessary expenses.

3. The Clerk shall mail copies of this Memorandum and Order to the Plaintiff and to Michael Gooch, P.O. Box 540938 Omaha, NE 68154, and shall also send him an emailed copy at mdgooch@cox.net. The Clerk shall also provide a copy to Pat Williamson.

July 13, 2017.

BY THE COURT:

s/ Joseph F. Bataillon
Senior United States District Judge