

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW HAMPSHIRE**

David R. Roux

v.

Civil No. 12-cv-416-PB

Hillsborough County Sheriff's
Department, Transportation
Division et al.

O R D E R

Before the court is pro se plaintiff David Roux's motion for court-appointed counsel (doc. no. 4). Roux is a pretrial detainee, proceeding in forma pauperis. Roux seeks the appointment of counsel because, he asserts, he has limited knowledge of the law.

There is no federal constitutional right to counsel in a civil case. The court generally has discretion to deny an appointment, unless the indigent litigant shows that his case presents exceptional circumstances, such that fundamental unfairness, impinging upon the right to due process, is likely to result if counsel is not appointed. See DesRosiers v. Moran, 949 F.2d 15, 23 (1st Cir. 1991). Here, Roux has demonstrated that he can draft cogent arguments and claims. Roux's limited knowledge of the law does not, at this time, threaten to result in fundamental unfairness. Accordingly, the motion to appoint

counsel (doc. no. 8) is denied without prejudice to refiling if exceptional circumstances should arise warranting such an appointment.

SO ORDERED.

A handwritten signature in black ink, appearing to be 'L. McCafferty', written over a horizontal line.

Landya McCafferty
United States Magistrate Judge

April 22, 2013

cc: David R. Roux, pro se

LBM:jba