

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

**RANDY BROWN,**

**Plaintiff,**

**v.**

**CITY OF ESSEX COUNTY STATE OF NJ,  
SHERIFF OFFICE AND PROBATION  
DIVISION**

**Defendants.**

10-CV-3980 (WJM)

**ORDER**

**HON. WILLIAM J. MARTINI**

This matter comes before the Court on Plaintiff’s application for appointment of *pro bono* counsel pursuant to the Court’s discretionary authority under 28 U.S.C. § 1915(e)(1). Having duly considered the relevant factors outlined in *Parham v. Johnson*, 126 F.3d 454, 457 (3d Cir. 1997) (citing *Tabron v. Grace*, 6 F.3d 147 (3d Cir. 1993)), including the fact that the merits of Plaintiff’s case are unclear at this early stage of the proceedings, the Court has determined that appointment of *pro bono* counsel is not warranted at this time. In the event, however, that future proceedings demonstrate the need for counsel, the matter may be reconsidered either by the Court, on its own initiative, or upon a properly filed motion by the Plaintiff. For the foregoing reasons, and for good cause shown,

**IT IS** on this 12th day of October 2010 hereby

**ORDERED** that Plaintiff’s application for the appointment of *pro bono* counsel is **DENIED** without prejudice to its renewal later in the proceedings.

/s/ William J. Martini  
**William J. Martini, U.S.D.J.**