

UNITED STATES DISTRICT COURT  
DISTRICT OF NEW JERSEY

CHAMBERS OF  
STEVEN C. MANNION  
UNITED STATES MAGISTRATE JUDGE

MARTIN LUTHER KING  
COURTHOUSE  
50 WALNUT ST.  
ROOM 2064  
NEWARK, NJ 07101  
973-645-3827

August 16, 2016

**LETTER ORDER/OPINION**

**Re: D.E. 15, Reconsideration of Application for Appointment  
of Pro Bono Counsel  
Niblack v. Miglio et al  
Civil Action No. 16-cv-747 (MCA)(SCM)**

Dear Litigants:

This matter comes before the Court upon review of Plaintiff, Stanley Niblack's ("Mr. Niblack") a) Appeal of Denial of Application for Appointment of *Pro Bono* Counsel,<sup>1</sup> and b) his reply to the State's opposition to his informal motion for Appointment of *Pro Bono* Counsel.<sup>2</sup> Mr. Niblack complains that the Court decided the motion without providing him time to submit a reply, and requests that "the Court ... reconsider" his circumstances.<sup>3</sup>

The Court has reviewed the parties' pleadings, Mr. Niblack's Application, the opposition, and now his reply to the opposition.<sup>4</sup> Mr. Niblack's application and reply claims a medical impairment, but those allegations have not been supported with competent medical evidence. Conversely, defendants submitted a declaration from Dr. Ralph Woodward, M.D. who reviewed Mr. Niblack's medical record and stated, "The medical record does not state nor provide any medical reasons to

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<sup>1</sup> (ECF Docket Entry No. ("D.E.") 14).

<sup>2</sup> (D.E. 14, Appeal at 2).

<sup>3</sup> (D.E. 15, Pl. Reply).

<sup>4</sup> (D.E. 1, 8, 10, 15).

support Niblack's claim that he cannot or should not write or type nor does the clinician instruct Mr. Niblack to stop writing.”<sup>5</sup> Accordingly, for the reasons set forth in the Court’s July 13, 2016 Order/Opinion<sup>6</sup> and the reasons set forth herein, the Application is **denied without prejudice**.

**SO ORDERED.**



A handwritten signature in black ink that reads "Steve C. Mannion".

Honorable Steve Mannion, U.S.M.J.  
United States District Court,  
for the District of New Jersey  
phone: 973-645-3827

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c (via ECF):  
All Counsel

c (via U.S. Mail R.R.R.):

Stanley L. Niblack, #923038A/769213  
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215 South Burlington Road  
Bridgeton, NJ 08302

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<sup>5</sup> (D.E. 10, Df. Opposition, Exh. B ¶ 3).

<sup>6</sup> (D.E. 12, Opinion).