

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO**

FLORA V. LOPEZ,

Plaintiff,

v.

No. 2:15-cv-00822-WJ-KRS

BOARD OF COUNTY COMMISSIONERS
for LEA COUNTY, et al.,

Defendants.

ORDER DENYING MOTION FOR REFERRAL TO PRO BONO PROGRAM

This matter comes before the Court upon Plaintiff's Motion for Referral to Pro Bono Program, filed June 19, 2017, wherein Plaintiff requests to proceed in forma pauperis on the ground that she is unable to find an attorney who will accept her case. From this premise, Plaintiff proceeds to ask the Court to refer her case to the Pro Bono Panel.

Plaintiff attempts to support her request by citing to 28 U.S.C. § 1915 and Rule 16-601 NMRA; however, she has failed to provide the documentation required by the former and the latter is an aspirational State rule of professional conduct. Regardless, the appointment of an attorney in a civil suit is a matter left within the Court's discretion and "[t]he burden is on the applicant to convince the court that there is sufficient merit to his claim to warrant the appointment." *Hill v. SmithKline Beecham Corp.*, 393 F.3d 1111, 1115 (10th Cir. 2004) (internal quotation marks omitted). Plaintiff has not even attempted to meet this burden.

It is therefore **ORDERED** that Plaintiff's Motion for Referral to Pro Bono Program is hereby **DENIED**.



KEVIN R. SWEAZEA
UNITED STATES MAGISTRATE JUDGE