

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

MELISSA SMITH,

Plaintiff,

v.

No. 2:17-cv-01021-JCH-KRS


MICHAEL HARTLEY and
JAKE VU,

Defendants.

ORDER DENYING MOTION TO APPOINT COUNSEL

THIS MATTER comes before the Court upon Plaintiff's Motion to Appoint Counsel [Doc. 6], filed November 29, 2017. Having reviewed the request, the Court FINDS and CONCLUDES that Plaintiff's motion is not well-taken and should be denied. In making this determination, the Court notes that it has broad discretion to appoint an attorney for an indigent claimant per 28 U.S.C. § 1915(e)(1). *Long v. Shillinger*, 927 F.2d 525, 526 (10th Cir. 1991). However, as set forth in the Court's Order Denying Motion to Proceed In Forma Pauperis [Doc. 7], entered November 30, 2017, Plaintiff has failed to establish that she is indigent under 28 U.S.C. § 1915(a)(1).

IT IS, THEREFORE, ORDERED that Plaintiff's Motion to Appoint Counsel [Doc. 6] is hereby **DENIED**.



KEVIN R. SWEAZEA
UNITED STATES MAGISTRATE JUDGE