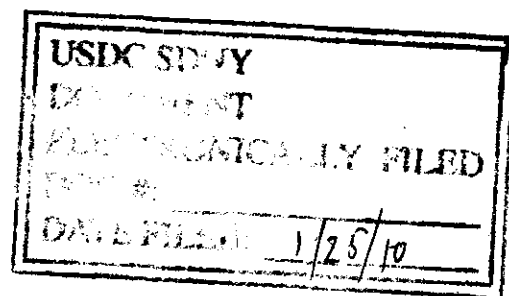


UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK



-----X

VICTOR L. SUAREZ,

Plaintiff,

-against-

THE NEW YORK CITY DEPT. OF
HUMAN RESOURCES
ADMINISTRATION., et al.,

Defendants.

-----X

09 Civ. 8417 (WHP)

ORDER

WILLIAM H. PAULEY III, District Judge:

Plaintiff Victor L. Suarez, now acting in a pro se capacity, brings this action alleging employment discrimination in violation of Title VII, 42 U.S.C. §§ 2000e, et seq., New York State Human Rights Law, N.Y. Exec. Law. §§ 290, et seq., and New York City Human Rights Law, N.Y. City Admin. Code §§ 8-101, et seq. On January 20, 2010, Plaintiff submitted an application requesting counsel.

In determining whether to grant a request for counsel, this Court must consider

the merits of plaintiff's case, the plaintiff's ability to pay for private counsel, his efforts to obtain a lawyer, the availability of counsel, and the plaintiff's ability to gather the facts and deal with the issues if unassisted by counsel.

Cooper v. A. Sargenti, Inc., 877 F.2d 170, 172 (2d Cir. 1989). As a threshold matter, a plaintiff must demonstrate that her claim has substance or a likelihood of success. See Hodge v. Police Officers, 802 F.2d 58, 60 (2d Cir. 1986). In addition, in reviewing a request for counsel, the Court must be cognizant of the fact that volunteer attorney time is a precious commodity, and thus should not grant appointment of counsel indiscriminately. Cooper, 877 F.2d at 172.

A more fully developed record will be necessary before this Court can determine if Plaintiff's chances of success warrant the appointment of counsel. Therefore, Plaintiff's application is denied without prejudice to its renewal at such time as the existence of potentially meritorious claims may be demonstrated.

Additionally, Plaintiff's motion to "reverse and deny" the extension of time for Defendant to respond granted on January 8, 2010 (Docket No. 5), is denied.

This Court reminds Plaintiff that the pro se office is a valuable resource in assisting litigants, such as plaintiff, who proceed in federal court without the assistance of counsel. Plaintiff is strongly encouraged to contact the pro se office for information:

Pro Se Clerk's Office
Southern District of New York
500 Pearl Street
New York, New York 10007
(212) 805-0175

Dated: January 25, 2010
New York, New York

SO ORDERED:


WILLIAM H. PAULEY III
U.S.D.J.

Copy mailed to:

Victor L. Suarez
P.O. Box 938
New York, NY 10025-0938
Plaintiff Pro Se

Abra Mason
Assistant Corporation Counsel
New York City Law Department
100 Church Street
New York, NY 10007-2601
Counsel for Defendants