

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

BARBARA J. LOVELL,

Plaintiff,

24-cv-2873 (JGK)

- against -

ORDER

THE CITY OF NEW YORK, ET AL.,
Defendants.

JOHN G. KOELTL, District Judge:

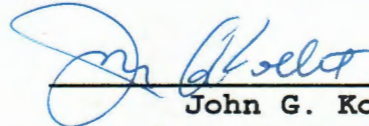
The plaintiff submitted the Amended Complaint on November 7, 2024, before the November 8 deadline. See ECF No. 30. However, the Amended Complaint was not docketed until November 13, 2024. Accordingly, on November 11, 2024, the Court extended the time to file. See ECF No. 29. The Court recognizes that the plaintiff timely filed the Amended Complaint. No further action is required from the plaintiff.

The plaintiff's request for pro bono counsel is **denied without prejudice** for failure to make the required showing. For the Court to order the appointment of counsel, the plaintiff must, as a threshold matter, demonstrate that the claim has a substantial likelihood of success on the merits. Hodge v. Police Officers, 802 F.2d 58, 61-62 (2d Cir. 1986). After the plaintiff has made such a showing, the Court may consider other factors such as the "plaintiff's ability to obtain representation independently, and [her] ability to handle the case without assistance in the light of the required factual investigation,

the complexity of the legal issues, and the need for expertly conducted cross-examination to test veracity." Cooper v. A. Argenti Co., Inc., 877 F.2d 170, 172 (2d Cir. 1989). The plaintiff has not made such a showing at this time. The plaintiff's application for the Court to appoint counsel is therefore **denied without prejudice.**

SO ORDERED.

**Dated: New York, New York
November 26, 2024**



**John G. Koeltl
United States District Judge**