

DISTRICT COURT OF THE UNITED STATES  
WESTERN DISTRICT OF NORTH CAROLINA  
CHARLOTTE DIVISION  
3:14-cv-182-FDW


MICHAEL S. HARPER, )  
 )  
 Plaintiff, )  
 )  
 vs. )  
 )  
 TERRY LEMON, )  
 FNU WHITLEY, )  
 )  
 Defendants. )  
 \_\_\_\_\_ )

**ORDER**

In this civil rights prisoner action brought pursuant to 42 U.S.C. § 1983, this Court denied Defendants’ summary judgment motion on October 28, 2016, as to Plaintiff’s claim for excessive force. (Doc. No. 50). In the Court’s order dated October 28, 2016, based on Plaintiff’s prior requests for appointment of counsel, the Court stated that it would inquire into appointment of counsel to represent Plaintiff at trial. Attorney John Fagg of the law firm of Moore and Van Allen has since then agreed to provide pro bono representation to Plaintiff in this action.

Pursuant to 28 U.S.C. § 1915(e)(1), **IT IS HEREBY ORDERED** that John Fagg is appointed to serve as counsel for Plaintiff in this case.

Signed: February 13, 2017

  
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Frank D. Whitney  
Chief United States District Judge

