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IN THE UNITED STATES DISTRICT COURT
DISTRICT OF SOUTH CAROLINA

James Bowers, Plaintiff, vs. Leroy Cartledge, Defendants.	)))))))))))	Civil Action No. 0:14-358-RMG **ORDER**

This petition for habeas relief was filed by Plaintiff *pro se*. The Court recently reviewed this matter on a recommendation of the Magistrate Judge to dismiss this action with prejudice. The Court denied the motion and remanded the matter to the Magistrate Judge for further processing. (Dkt. No. 26). In reviewing Plaintiff's claims, it appears to the Court that this *pro se* litigant has colorable claims but lacks the capacity to properly present such claims. *Zuniga v. Effler*, 2012 WL 2354464 (4th Cir. 2012). In such a circumstance, the Court has the discretion to appoint counsel for the *pro se* litigant if the party is unable to afford counsel. 28 U.S.C. § 1915(e)(1). The Court finds that appointment of counsel is proper in these circumstances and hereby appoints Matthew Nickles of the Charleston County Bar as counsel for Plaintiff.

AND IT IS SO ORDERED.

Richard Mark Gergel
United States District Court

September 23, 2014
Charleston, South Carolina

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