

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION**

JOSEPH DINGLER,)	
Plaintiff,)	
v.)	No. 3:12-CV-455-M
)	
EQUIFAX, ET AL.,)	
Defendants.)	


ORDER

On April 27, 2012, Plaintiff filed an amended complaint. The Court therefore VACATES its April 11, 2012, Findings, Conclusions and Recommendation.

On April 27, 2012, Plaintiff filed a motion for appointment of counsel. A plaintiff in a civil action is not entitled to court appointed counsel as a matter of right. *Lopez v. Reyes*, 692 F.2d 15, 17 (5th Cir. 1982). Rather, the decision whether to appoint counsel for an indigent litigant rests within the sound discretion of the trial court. *See* 28 U.S.C. § 1915(e)(1). In this case, the complaint has not been served on Defendants. The Court therefore denies the motion as premature.

IT IS SO ORDERED.

SIGNED this 21st day of May, 2012.



 PAUL D. STICKNEY
 UNITED STATES MAGISTRATE JUDGE