

United States District Court
Southern District of Texas

ENTERED

August 24, 2018

David J. Bradley, Clerk

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
CORPUS CHRISTI DIVISION

MICHAEL RAY WEST,

Plaintiff,

VS.

SHARON RUIZ, *et al*,

Defendants.

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CIVIL ACTION NO. 2:18-CV-170

**OPINION AND ORDER DENYING PLAINTIFF’S
MOTION FOR APPOINTMENT OF COUNSEL
AND VACATING ORDER SETTING DEADLINES**

Plaintiff Michael Ray West, proceeding *pro se*, has filed this civil rights action pursuant to 42 U.S.C. § 1983. Pending before the Court is Plaintiff’s Motion for Appointment of Counsel. (D.E. 16).

In a separate order, the undersigned granted Plaintiff’s application to proceed *in forma pauperis*. (D.E. 6). That order also provided that “[n]o motions for appointment of counsel shall be filed until the Court has completed its screening pursuant to 28 U.S.C. § 1915A, which may include a hearing under *Spears v. McCotter*, 766 F.2d 179 (5th Cir. 1985).” (D.E. 6, ¶ 9). Plaintiff recently filed his Second Amended Complaint (D.E. 10), and this Court has yet to complete the § 1915A screening process in this case. Accordingly, Plaintiff’s Motion for Appointment of Counsel (D.E. 16) is DENIED without prejudice to renew after the screening process has been completed.

On August 1, 2018, the undersigned inadvertently entered an Order Setting Deadlines in this case. (D.E. 15). That order was prematurely issued because Plaintiff’s

Second Amended Complaint has not been screened and no defendants have otherwise been served in this case. Accordingly, the August 1 Order Setting Deadlines (D.E. 15) is VACATED.

ORDERED this 24th day of August, 2018.


B. JANICE ELLINGTON
UNITED STATES MAGISTRATE JUDGE