
IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF UTAH

LUIS I. SANCHEZ,

Plaintiff,

v.

UNIFIED POLICE DEPARTMENT OF
GREATER SALT LAKE, et al.,

Defendants.

MEMORANDUM DECISION AND
ORDER DENYING MOTION FOR
APPOINTMENT OF COUNSEL

Case No. 2:14-CV-900 TS

District Judge Ted Stewart

This matter is before the Court on Plaintiff Luis Sanchez's Motion for Appointment of Counsel. For the reasons discussed below, the Court will deny Plaintiff's Motion.

I. BACKGROUND

Plaintiff was granted leave to proceed in forma pauperis and filed this action on December 10, 2014. Defendant brings a number of claims against Unified Police Department and certain police officers. Plaintiff now seeks the appointment of counsel.

II. DISCUSSION

Plaintiff has no constitutional right to counsel.¹ However, the Court may in its discretion appoint counsel.² "The burden is upon the applicant to convince the court that there is sufficient merit to his claim to warrant the appointment of counsel."³ When deciding whether to appoint

¹ See *Carper v. Deland*, 54 F.3d 613, 616 (10th Cir. 1995); *Bee v. Utah State Prison*, 823 F.2d 397, 399 (10th Cir. 1987).

² 28 U.S.C. § 1915(e)(1).

³ *McCarthy v. Weinberg*, 753 F.2d 836, 838 (10th Cir. 1985).

counsel, the Court considers a variety of factors, “including ‘the merits of the litigant’s claims, the nature of the factual issues raised in the claims, the litigant’s ability to present his claims, and the complexity of the legal issues raised by the claims.’”⁴

Considering the above factors, the Court concludes appointment of counsel is not warranted at this time. On initial review, the Court finds that Plaintiff’s claims may not be meritorious, the factual issues are relatively straightforward, Plaintiff has the ability to present his claims, and the legal issues are not complex. Thus, the Court will deny Plaintiff’s motion for appointed counsel at this time.

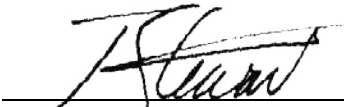
III. CONCLUSION

It is therefore

ORDERED that Plaintiff’s Motion for Appointment of Counsel (Docket No. 4) is DENIED.

DATED this 15th day of December, 2014.

BY THE COURT:



Ted Stewart
United States District Judge

⁴ *Rucks v. Boergermann*, 57 F.3d 978, 979 (10th Cir. 1995) (quoting *Williams v. Meese*, 926 F.2d 994, 996 (10th Cir. 1991)).