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6 UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
7 AT SEATTLE

8 TRAVIS CLINTON COLEMAN ,

9 Plaintiff,

10 v.

11 C. MERRITT, et al.,

12 Defendant.

CASE NO. 2:24-cv-01566-JCC-BAT

**ORDER DENYING MOTION FOR
COUNSEL, DKT. 7**

13 Plaintiff, a King County Jail detainee, filed a complaint alleging (1) Defendants assaulted
14 and injured him on August 10, 2024; (2) he was denied adequate medical care for injuries
15 suffered in the assault; and (3) following the assault, he was placed in restrictive custody without
16 a hearing. Dkt. 5. Plaintiff now moves for appointment of counsel on the grounds he cannot
17 afford to hire a lawyer; incarceration makes it difficult to research and investigate his case; he
18 has mental conditions that impair him; and counsel would be better able to present evidence and
19 cross-examine witnesses at a trial. Dkt. 7.

20 Generally, there is no right to counsel in a civil action. *See Campbell v. Burt*, 141 F.3d
21 927, 931 (9th Cir. 1998). The Court may appoint counsel for indigent civil litigants under 28
22 U.S.C. § 1915(e)(1), but only under “exceptional circumstances.” *Agyeman v. Corrections Corp.*
23 *of Am.*, 390 F.3d 1101, 1103 (9th Cir. 2004). When determining whether “exceptional

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1 circumstances” exist, the Court considers “the likelihood of success on the merits as well as the
2 ability of the [plaintiff] to articulate [her] claims pro se in light of the complexity of the legal
3 issues involved.” *Weygandt v. Look*, 718 F.2d 952, 954 (9th Cir. 1983).

4 The Court finds this is not a case involving exceptional circumstances. Rather, Plaintiff
5 has thus far been able to articulate his claims as a pro se litigant. Although Plaintiff claims his
6 case is complex, Plaintiff presents straightforward allegations that defendants assaulted and
7 injured him, that he was denied medical care for these injuries, and that he was placed into
8 restrictive custody following the assault. Further, the Court at this also cannot say that Plaintiff
9 has a likelihood of succeeding in this matter at this early stage.

10 The accordingly ORDERS: (1) the motion for motion for appointment of counsel, Dkt. 7
11 is DENIED without prejudice; and (2) a copy of this order shall be provided to plaintiff.

12 DATED this 23rd day of October, 2024.

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15 BRIAN A. TSUCHIDA
16 United States Magistrate Judge
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