

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

LEANDRE DAVIS (#697681),

CASE NO. 2:11-CV-15262

Plaintiff, JUDGE ARTHUR J. TARNOW
MAGISTRATE JUDGE ANTHONY P. PATTI

v.

JOMAINE BRAGG,

Defendant,

ORDER DENYING WITHOUT PREJUDICE

PLAINTIFF'S MOTION TO APPOINT COUNSEL (DE 36)

Currently before the Court is Plaintiff's November 7, 2014 motion to appoint counsel. DE 36. Upon consideration, this motion is denied.

Plaintiff has filed nine (9) matters in this case. *See* DE 1 (Complaint), DE 2 & DE 5 (Applications to proceed without prepayment of fees), DE 9 & DE 10 (Notices of Change of Address/Contact Information), DE 11 (Letter), DE 35 (Motion for Discovery), DE 36 (Motion to Appoint Counsel) and DE 39 (MDOC Disbursement Authorization Forms). Of these, I note that his applications to proceed without prepayment of fees (DE 2 & DE 5) were granted by the Court (DE 6). Furthermore, the Court is able to understand what Plaintiff is asking for in Plaintiff's two motions currently under consideration (DE 35 & DE 36).

However, the reasons Plaintiff offers in support of his motion to appoint counsel are conclusory and without detail. *See* DE 36 at 2-4. For example, Plaintiff states that he “is unable to send Interrogatorie[]s to witnesses [b]ecause MDOC prison m[ai]l system prevents prisoners from sending mail to other prisoners.” DE 36 at 2 ¶ 3.¹ Even so, the events underlying Plaintiff’s complaint took place at the Wayne County Jail (WCJ) in Detroit, Michigan, and Plaintiff has not identified the prisoners he seeks to contact as witnesses or specified their location.

Accordingly, Plaintiff’s motion to appoint counsel (DE 36) is **DENIED WITHOUT PREJUDICE**. Plaintiff may renew his request for the appointment of counsel if this case survives dispositive motion practice, proceeds to trial or other circumstances warranting the appointment of counsel arise.

IT IS SO ORDERED.

Dated: January 30, 2015

s/Anthony P. Patti

Anthony P. Patti

UNITED STATES MAGISTRATE JUDGE

¹*See, i.e.*, MDOC Director’s Office Memorandum 2015-6, Re: Prisoner-to-Prisoner Mail, effective Jan. 1, 2015.

