



## Addison v. Moore

2015 | Cited 0 times | D. South Carolina | June 15, 2015

IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF SOUTH CAROLINA  
Kelvin Sharod Addison,

Plaintiff, vs. Corporal Steven Moore,

Defendant.

C/A No.: 1:15-571-SB-SVH

### ORDER

Plaintiff, proceeding pro se, brought this action pursuant to 42 U.S.C. § 1983, alleging a violation of his constitutional rights. This matter is before the court on ppointment of counsel. [ECF No. 28]. There is no right to appointed counsel in § 1983 cases. Cf. Hardwick v. Ault, 517 F.2d 295, 298 (5th Cir. 1975). While the court is granted the power to exercise its discretion to appoint counsel for an indigent in a civil action, 28 U.S.C. § 1915(e)(1); Smith v. Blackledge Cook v. Bounds, 518 F.2d 779, 780 (4th Cir. 1975). Plaintiff

in his motion has not shown that any exceptional circumstances exist in this case. After a review of the file, this court has determined that there are no exceptional or unusual circumstances presented that would justify the appointment of counsel, nor would Plaintiff be denied due process if an attorney were not appointed. Whisenant v. Yuam, 739 F.2d 160 (4th Cir. 1984). In most civil rights cases, the issues are not complex, and whenever such a case brought by an uncounseled litigant goes to trial, the court outlines proper procedure so the uncounseled litigant will not be deprived of a fair appointment of counsel under 28 U.S.C. §1915(e)(1) is denied.

IT IS SO ORDERED.

June 12, 2015 Shiva V. Hodges Columbia, South Carolina United States Magistrate Judge

