

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WISCONSIN

SHAWN McGARVEY,

Plaintiff,

v.

THOMAS BORGAN,
ANDREW BATH and
LT. DOMMISSE,

Defendants.

ORDER

04-C-269-C

Plaintiff's motion for reconsideration of the November 3, 2004 order denying his motion for appointment of counsel is DENIED. Plaintiff's transfer to another prison facility in Wisconsin does not prevent him from utilizing the discovery mechanisms available to all litigants in the Federal Rules of Civil Procedure. Nor is the fact that plaintiff may be running out of legal loan money an exceptional circumstance warranting appointment of counsel. See Lindell v. McCallum, 352 F.3d 1107, 1111 (7th Cir. 2003) (district court under no obligation to order Wisconsin to lend prisoners more money or paper than

authorized under Wis. Adm. Code § DOC 309.51).

Entered this 24th day of November, 2004.

BY THE COURT:

BARBARA B. CRABB
District Judge