

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

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JONATHON H. BEDFORD,

Plaintiff,

v.

NEIGHBORHOOD CONNECTIONS, INC.;

Defendant.  
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ORDER

04-C-978-C

In an order dated January 12, 2005, I denied plaintiff's motion for appointment of counsel in this action on the grounds that the case is too new to allow me to ascertain whether plaintiff is competent to prosecute his lawsuit himself and, if he is not, whether the appointment of counsel would make a difference in the outcome of the suit. In addition, I told plaintiff that before I could consider a renewed motion for appointment of counsel, he would have to make a showing that he made reasonable efforts to find counsel on his own and that his efforts failed. Now, two weeks later, plaintiff has filed a list of the names of lawyers he says he has asked to represent him. He says also that their responses are attached, but there are no attachments to the list. Even if I accept, as I do, that plaintiff has made reasonable efforts to find a lawyer on his own and has failed, the case has not

progressed sufficiently to determine the complexity of the issues and plaintiff's competence to prosecute his case.

Although it is understandable that plaintiff is concerned that he may not be able to litigate this case himself, he should know that he is in the same position as most other pro se litigants. In this court, persons who represent themselves are given an opportunity early on in the lawsuit to ask questions they may have about court procedure. As soon as defendant files a response to plaintiff's complaint, the court will schedule a preliminary pretrial conference to be held by telephone before the United States Magistrate Judge. At the conference, the magistrate judge will set a trial date and schedule deadlines for gathering evidence, naming witnesses and filing certain types of motions. Also, the magistrate judge will answer any questions about procedure that plaintiff has. In addition, he will send plaintiff written confirmation of the deadlines that are set and a written copy of various procedures discussed at the conference. Before that conference occurs, it is too early even for plaintiff to assess whether he believes himself capable of prosecuting this case on his own.

Accordingly, IT IS ORDERED that plaintiff's renewed motion for appointment of

counsel is DENIED as premature.

Entered this 31st day of January, 2005.

BY THE COURT:

BARBARA B. CRABB  
District Judge