

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

DARYL STRENKE,

Plaintiff,

v.

ROBERT ALAN GLICKMAN,

Defendant.

ORDER

09-cv-473-bbc

Plaintiff, a prisoner presently confined at the Columbia Correctional Institution in Portage, Wisconsin, is proceeding in this case on his claim that defendant breached his contractual duties when representing plaintiff in a State of Wisconsin criminal proceeding.

For the fourth time in this case, plaintiff has moved for appointment of counsel. In each prior instance, the court has denied plaintiff's motion, concluding that he has failed to demonstrate that the legal and factual difficulty of this case exceeds his ability to prosecute it. Again plaintiff has presented no new factual or legal argument which persuade me that he is entitled to appointment of counsel under *Pruitt v. Mote*, 503 F.3d 647, 655 (7th Cir. 2007).

On the contrary, plaintiff is doing a capable job of representing himself. He has pursued discovery according to the Federal Rules of Civil Procedure and filed an appropriate motion to compel. Although plaintiff asserts that he has difficulty with legal language, plaintiff should know that he is in the same position as most other pro se litigants, almost none of whom have legal training of any kind. Plaintiff has personal knowledge surrounding the facts of his case and he should be able to obtain access to records to corroborate this information. Plaintiff's submissions continue to be well organized and coherent. I encourage plaintiff to focus now on preparing his opposition to defendant's motion for summary judgment, which is due June 22, 2011.

In sum, because plaintiff has submitted no new argument that persuades me to reach a different conclusion than have been reached in prior decisions, I will deny his fourth motion for appointment of counsel.

ORDER

IT IS ORDERED that plaintiff's fourth motion for appointment of counsel, dkt. # 75, is DENIED without prejudice.

Entered this 2nd day of June, 2011.

BY THE COURT:

/s/

STEPHEN L. CROCKER
Magistrate Judge