

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

WALTER OLEJNIK, KATHERINE OLEJNIK,
KENNETH OLEJNIK and JOANN OLEJNIK,

Plaintiffs,

v.

TRACI J. ENGLAND, ONEIDA COUNTY,
and WISCONSIN COUNTY MUTUAL
INSURANCE CORPORATION,

Defendants.

ORDER

14-cv-88-jdp

This is a civil case against defendant Tracy J. England, who was the medical examiner for Oneida County, also a defendant here. England has pled guilty in state court to criminal charges arising from her unauthorized use of cadaver tissue to train cadaver-sniffing dogs. In this court, plaintiffs bring civil claims under state law and under 42 U.S.C. § 1983 seeking to recover damages from defendants arising from England's actions.

In an August 7, 2014 order, the court denied intervening defendant Wisconsin County Mutual Insurance Company's motion to bifurcate coverage issues from the underlying liability issues. However, as the case has progressed it has become apparent that defendant England is proceeding pro se with regard to coverage issues. She has filed a request for appointment of counsel to represent her on this part of the case, Dkt. 28. Plaintiffs have responded with a letter in support of England's request.

This court does not have the authority to "appoint" counsel to represent England in cases such as this, so her request will be construed as a motion for the court's assistance in recruiting counsel. It is clear that counsel would be helpful to England in litigating coverage issues, so the court will grant this request, while noting that it may be difficult to locate

counsel willing to take on this type of representation. The court anticipates taking several weeks to locate counsel; if after this time no attorney has been found, plaintiff will have to proceed pro se.

At this point it does not appear necessary to stay the case while the court attempts to locate counsel.

ORDER

IT IS ORDERED that defendant Tracy J. England's motion for the court's assistance in recruiting counsel to represent her on coverage issues, Dkt. 28, is GRANTED.

Entered this 8th day of October, 2014.

BY THE COURT:

/s/

JAMES D. PETERSON
District Judge