

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

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ARSENIO R. AKINS,

Plaintiff,

v.

DOCTOR MAIER, SERGEANT KRASOVIC and  
CORRECTIONS OFFICER RIBBKE,

Defendants.  
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ORDER

15-cv-118-bbc

Pro se plaintiff Arsenio Akins is proceeding on claims that defendants were negligent and deliberately indifferent to his serious medical needs and that they retaliated against him for filing grievances. Defendants have filed a motion for summary judgment, together with their brief in support. Plaintiff was given a deadline for responding of April 18, 2016. Instead of filing his brief, however, plaintiff has filed a motion for an extension of time and a motion for the court's assistance in recruiting counsel.

In his motion for an extension of time, plaintiff states that on March 16, 2016 he was placed in Temporary Lock Up status for three weeks and that he was unable to use the law library. In addition, plaintiff says he has been taken off his medication for Attention Deficit Hyperactivity Disorder, which makes it difficult for him to focus and has caused him emotional distress. Plaintiff further states that he no longer has the assistance of an inmate that was helping him with this case.

I will grant plaintiff's motion for an extension of time to respond to summary judgment, but deny his motion for assistance in recruiting counsel to represent him at this time because it is not clear that the difficulty of litigating this case exceeds plaintiff's ability. Plaintiff's filings throughout this litigation have been well-written, easy to understand and directed at the relevant issues in this case. Moreover, plaintiff does not identify any particular material issues in this case that require the assistance of counsel. It is likely that it will be easier to determine whether plaintiff needs the help of counsel once the summary judgment has been fully briefed and I can determine whether the case is one that requires the assistance of pro bono counsel.

Plaintiff should keep in mind that his most important task at this point is simply to explain the events about which he is complaining. He should set out those facts in an affidavit and include them in his proposed findings of fact. I encourage plaintiff to consult the summary judgment procedures provided to him with the pretrial conference order in preparing his response. If after reviewing the parties' motions for summary judgment it appears that there are potentially dispositive issues for which an attorney is necessary, I will reconsider plaintiff's request for assistance. Finally, although I am denying plaintiff's motion for assistance in recruiting counsel at this time, he may renew his motion before trial if the case moves beyond the summary judgment stage.

ORDER

IT IS ORDERED that

1. Plaintiff Arsenio Akin's motion for an extension of time to submit his response to defendants' motion for summary judgment, dkt. #40, is GRANTED. Plaintiff may have until May 13, 2016 to file his response. Defendants may have until May 23, 2016 to file their reply.

2. Plaintiff's motion for assistance in recruiting counsel, dkt. #40, is DENIED.

Entered this 19th day of April, 2016.

BY THE COURT:

/s/

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BARBARA B. CRABB  
District Judge