

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

JERRY MEANS,

Plaintiff,

v.

ORDER

02-C-0695-C

PETER HUIBREGTSE, JON LITSCHER,
DR. C. CULLEN, Psychologist,
DR. TWILA HAGAN, Head Psychologist,
CAPTAIN BLACKBURN, JANE DOE, Staff,
and CORR. OFFICER DIVALL,

Defendants.

This is a proposed civil action for monetary and declaratory relief brought pursuant to 42 U.S.C. § 1983, in which plaintiff Jerry Means, an inmate at the Wisconsin Secure Program Facility in Boscobel, Wisconsin, alleges that he was denied adequate psychiatric services at the prison.

Presently before the court is plaintiff's second motion for appointment of counsel. Like plaintiff's first motion for appointment of counsel, this motion is premature. Even though I granted leave to proceed on January 6, 2003, little has changed with plaintiff's

lawsuit because of service of process problems. In fact, the U.S. Marshals Service has not returned the summons forms indicating whether service of process occurred. (The clerk of court issued summons forms to the marshals service on March 10, 2003.) As I stated when I denied plaintiff's first motion, it is unclear whether plaintiff's case will be decided on the merits or, for instance, whether the case will be dismissed on a procedural issue, such as exhaustion of administrative remedies. Although plaintiff argues that this case is too complex for his legal knowledge, he has written a complaint and motions that are clear and complete. I am confident that plaintiff can represent himself at least through the first stages of his lawsuit. Accordingly, plaintiff's motion for appointment of counsel will be denied without prejudice to plaintiff renewing his motion at a later date if the case proceeds to a decision on the merits.

ORDER

IT IS ORDERED that plaintiff Jerry Means's motion for appointment of counsel is DENIED without prejudice.

Entered this 19th day of March, 2003.

BY THE COURT:

BARBARA B. CRABB
District Judge