

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

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RONALD L. JONES,

Plaintiff,

v.

STEPHEN J. PUCKETT, BRIAN  
CAGEL and DIANE FERGOT,

Defendants.

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ORDER

00-C-204-C

This is a civil action for injunctive and monetary relief brought pursuant to 42 U.S.C. § 1983. In an order entered June 8, 2000, I granted petitioner leave to proceed in forma pauperis on his claim that his Fourteenth Amendment rights were violated when he was deprived without due process of his liberty interests in good time credits and in not being labeled a sex offender. In an order dated September 25, 2000, I granted defendant Litscher's motion to dismiss the complaint against him for lack of personal involvement in the alleged constitutional violation. I also granted plaintiff's motion to amend the complaint to add defendants Puckett, Cagel and Fergot. Plaintiff has now filed a motion for the appointment of counsel. In his motion and brief supporting the motion, plaintiff says that Jack Hoag told

plaintiff that if asked by the court, Hoag would accept an appointment as counsel in this case. (Hoag represented plaintiff in commitment proceedings under Wis. Stat. ch. 980 and the subsequent revocation of plaintiff's mandatory release supervision.) The court contacted Hoag, but he declined the appointment after learning that it would be without any guarantee of compensation.

Plaintiff has submitted letters from five lawyers who declined to represent him in this case. Although plaintiff has made a reasonable effort to retain counsel, he has also demonstrated he is able to represent himself in this matter. For example, plaintiff successfully amended his complaint in response to defendant Litscher's motion to dismiss and has submitted a coherent and reasoned brief on the merits of the present motion. Although it may be more difficult for plaintiff to conduct discovery in this case than it would be for a lawyer, I do not foresee unreasonable difficulties for plaintiff in working with defendants to discover the information that he needs. The examples that plaintiff cites, "department manuals regarding the clinical evaluations, and the treatment assessments made by the department in making the determination to label him a sex offender, or the criteria used in making the decisions," Plt.'s Mem., dkt. # 22 at 5, do not appear to raise such security concerns that defendants could not make them available to plaintiff even though he would not ordinarily have access to them. Therefore, plaintiff's motion for the appointment of counsel will be denied.

ORDER

IT IS ORDERED that the motion of plaintiff Ronald L. Jones for the appointment of counsel is DENIED.

Entered this 31st day of October, 2000.

BY THE COURT:

BARBARA B. CRABB  
District Judge