

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

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ORLANDO LARRY,

Plaintiff,

v.

CHAPLAIN DELL GOETZ,

Defendant.  
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ORDER

06-C-197-C

In this civil action, plaintiff Orlando Larry contends that defendant Dell Goetz violated his rights under the Religious Land Use and Institutionalized Persons Act, 42 U.S.C. § 2000cc-1(a)(1)-(2) when he failed to arrange for Jumah services during plaintiff's detention at the jail in December 2005 and early 2006. Defendant has answered the complaint and a preliminary pretrial conference has been held. Now before the court is plaintiff's motion for appointment of counsel to represent him.

In deciding whether to appoint counsel, I must first find that plaintiff has made reasonable efforts to find a lawyer on his own and has been unsuccessful or that he has been prevented from making such efforts. Jackson v. County of McLean, 953 F.2d 1070 (7th Cir. 1992). Plaintiff does not say that he has been prevented from trying to find a lawyer

on his own. To prove that he has made reasonable efforts to find a lawyer, plaintiff must give the court the names and addresses of at least three lawyers that he asked to represent him in this case and who turned him down.

Plaintiff should be aware that even if he is unsuccessful in finding a lawyer on his own, that does not mean that one will be appointed for him. At that point, the court must consider whether plaintiff is able to represent himself given the legal difficulty of the case, and if he is not, whether having a lawyer would make a difference in the outcome of his lawsuit. Zarnes v. Rhodes, 64 F.3d 285 (7th Cir. 1995), citing Farmer v. Haas, 990 F.2d 319, 322 (7th Cir. 1993). This case is simply too new to allow the court to evaluate plaintiff's abilities or the likely outcome of the lawsuit. Therefore, the motion will be denied without prejudice to plaintiff's renewing his request at a later time.

#### ORDER

IT IS ORDERED that plaintiff's motion for the appointment of counsel is DENIED.

Entered this 19th day of September, 2006.

BY THE COURT:  
/s/  
BARBARA B. CRABB  
District Judge