

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

---

THOMAS SHELLEY,

Plaintiff,

v.

ORDER

MARY BARTELS, DR. COX and  
RICHARD SCHNEITER,

06-C-479-S

Defendants.

---

Plaintiff moves for appointment of counsel. In Farmer v. Haas, 990 F.2d 319, 322 (7<sup>th</sup> Cir. 1993), the Court provided the following standard for appointment of counsel, "given the difficulty of the case, did the plaintiff appear to be competent to try it himself and, if not, would the presence of counsel have made a difference in the outcome."

Although plaintiff alleges that the defendants violated his Eighth Amendment rights, it appears at this stage that plaintiff is competent to try the case himself. The Court will deny plaintiff's motion for appointment of counsel.

ORDER

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

Entered this 19<sup>th</sup> day of October, 2006.

BY THE COURT:

\_\_\_\_s/  
JOHN C. SHABAZ  
District Judge