

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

MATTHEW STECHAUNER,

Plaintiff,

v.

RICK RAEMISCH, MICHAEL THURMER
and GARY ANKARLO,

Defendants.

ORDER

10-cv-777-bbc

In an order entered in this case on February 1, 2011, I denied plaintiff Matthew Stechauner's motion for appointment of counsel without prejudice because it was too early in the case to assess plaintiff's ability to litigate his case despite plaintiff's mental health concerns. Now, plaintiff has filed a renewed motion for appointment of counsel.

When I denied plaintiff's first motion for appointment of counsel, I told him that at this early stage of litigation I was not able to tell whether his mental health problems would overwhelm his ability to litigate this case and that so far nothing in the record suggested that the legal and factual difficulty of the case exceeded his demonstrated ability to prosecute it. Pruitt v. Mote, 503 F.3d 647, 654-55 (7th Cir. 2007). This situation has not changed. The

facts of the case are within plaintiff's personal knowledge and the law governing plaintiff's claims was explained to him in the January 24, 2011 order granting him leave to proceed. Furthermore, plaintiff will soon receive, if he hasn't already, the written preliminary pretrial conference order from the magistrate judge providing him with information about how to use discovery techniques to gather the evidence he needs to prove his claim as well as copies of this court's procedures for filing or opposing dispositive motions and for calling witnesses. This order is written for the very purpose of helping pro se litigants understand how these matters work.

To date, plaintiff's submissions have been coherent and well written and reveal little evidence that his mental problems have hindered his ability to prosecute this action. I urge plaintiff to consult the pretrial conference order. If at some point he does not understand something that is happening in this case, he may write the court for additional clarification about procedures.

For the reasons set out in the February 1 order, plaintiff's second motion for appointment of counsel will be denied again, without prejudice to plaintiff's renewing it at a later time.

ORDER

IT IS ORDERED that plaintiff Matthew Stechauner's motion for appointment of counsel, dkt. #20, is DENIED without prejudice to his renewing it at a later date.

Entered this 18th day of March, 2011.

BY THE COURT:

/s/

BARBARA B. CRABB

District Judge