

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

TIMOTHY CROWLEY,

Plaintiff,

OPINION & ORDER

v.

15-cv-006-wmc

STUN-TECH INC., KARVONS ARMS,
STINGER SYSTEMS, INC., ELECTRONIC
DEFENSE TECHNOLOGIES LLC and
R.A.C.C. INDUSTRIES INC.,

Defendants.

Plaintiff Timothy Crowley has filed this complaint related to injuries that arose from a Remote Electronically Activated Control Technology Belt (“REACT Shock Belt”). On May 8, 2015, the court explained that Crowley had not adequately pled subject matter jurisdiction and directed him to file an amended complaint that adequately pled the citizenship of each of the defendants by June 8, 2015. On May 26, 2015, Crowley filed a Motion for Assistance or Leeway, in which he states that it is impossible for him to follow the court’s directions because he does not have the resources and he deals with mental, vision and hearing defects. (Dkt. #9.) Crowley currently has another matter pending before this court, Case No. 12-cv-486, and he had previously filed a Motion for Assistance in Recruiting Counsel in both cases in which he explained the same difficulties. (Dkt. #7.)

Before deciding whether it is necessary to recruit counsel, however, a plaintiff must have 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, 1072-73 (7th Cir. 1992). To prove that he has

made reasonable efforts to find a lawyer, plaintiff must specifically give the court the names of at least three lawyers who denied plaintiff's request for representation. Crowley has not indicated that he has made any efforts to find a lawyer, and so this request must be denied.

Although Crowley has not adequately pled subject matter jurisdiction by the court's deadline, the court will give Crowley one more chance to file an amended complaint that contains good faith allegations as to the citizenship of all parties in this case and/or show by affidavit that he has made a good faith effort to retain counsel on his own and been declined by at least three lawyers.

ORDER

IT IS ORDERED that:

- 1) Plaintiff Timothy Crowley's Motion for Assistance in Recruiting Counsel (dkt. #7) and Motion for Assistance or Leeway (dkt. #9) are DENIED without prejudice.
- 2) Plaintiff has until September 29, 2015, to file an amended complaint containing good faith allegations as to the citizenship of all parties in this case and/or to show that he has made a good faith effort to retain counsel on his own as set forth above.
- 3) Failure to do so will result in a prompt dismissal of this action without prejudice for lack of subject matter jurisdiction.

Entered this 8th day of September, 2015.

BY THE COURT:

/s/

WILLIAM M. CONLEY
District Judge