

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

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DECTOR ROBINSON,

Plaintiff,

v.

OPINION and ORDER

ANTHONY HENTZ and PAULINE HULSTEIN,

19-cv-258-jdp

Defendants.

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Pro se plaintiff Dector Robinson is proceeding on claims against defendants Anthony Hentz and Pauline Hulstein under the Eighth Amendment to the United States Constitution and Wisconsin negligence law. Defendants are nurses employed by Jackson Correctional Institution, where Robinson is incarcerated, and Robinson says that they refused to give him medical treatment after he suffered strokes. I denied Robinson's earlier request for assistance in recruiting counsel because it was too soon to tell whether his case would be too complicated for him to litigate effectively on his own. Dkt. 17.

Now, Robinson has filed a motion asking me to appoint counsel to represent him, drafted by a fellow inmate. Dkt. 20. As a preliminary note, I do not have the authority to appoint counsel to represent pro se plaintiffs in civil matters; I can only assist in recruiting counsel who may be willing to serve voluntarily. *See* 28 U.S.C. § 1915(e)(1); *Pruitt v. Mote*, 503 F.3d 647, 654, 656 (7th Cir. 2007) (en banc). So I will construe Robinson's motion as a motion for assistance in recruiting counsel. The standards that govern such motions are stated in my prior order, Dkt. 17.

Robinson says that he will be unable to effectively investigate his claims due to the limitations caused by his strokes. He submits an affidavit from a hospital doctor who says that

he is infirm due to a number of medical conditions, including his strokes. Dkt. 21. And he says that because his claims center on defendants' actions in response to his stroke symptoms and on the effects of the delay in his treatment for his strokes, they will likely require testimony by medical experts.

Defendants did not file a motion for summary judgment on the ground that Robinson failed to exhaust his administrative remedies by the deadline to do so. This means that this case will turn on the merits of Robinson's claims, which will involve the type of complex medical questions that the court of appeals has suggested would benefit from recruitment of counsel, *Perez v. Fenoglio*, 792 F.3d 768, 785 (7th Cir. 2015). Such issues would be difficult for any pro se prisoner to litigate, but Robinson's ability to do so will be further hampered by the effects of his strokes. Because I conclude that Robinson will require the assistance of counsel to prosecute his case effectively, I will grant his request for assistance, stay the case, and attempt to locate counsel for him.

If I find counsel willing to represent Robinson, I will advise the parties of that fact. Soon thereafter, a status conference will be held to set a new schedule. Robinson should know that because of the large number of requests for counsel that the court receives, the search for counsel may take several months, and there is no guarantee that the court will be able to find counsel willing to represent him.

ORDER

IT IS ORDERED that plaintiff Dector Robinson's motion for assistance in recruiting counsel, Dkt. 20, is GRANTED. All remaining deadlines are STRUCK and the case is STAYED pending recruitment of counsel for plaintiff.

Entered June 23, 2020.

BY THE COURT:

/s/

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JAMES D. PETERSON  
District Judge