

**IN THE UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF FLORIDA
TALLAHASSEE DIVISION**

ERIC K. BROOKS,

Plaintiff,

v.

CASE NO. 4:19cv288-RH-MAF

AARON JAMES BLEVINS et al.,

Defendants.

**ORDER DIRECTING THE CLERK TO NOTIFY
BAR MEMBERS OF THE OPPORTUNITY
TO REPRESENT THE PLAINTIFF PRO BONO**

The clerk must send a notice to all attorneys registered with the court's electronic filing system. The notice must state:

This is a notice of an opportunity to provide pro bono representation in a jury trial. The case is *Brooks v. Blevins*, No. 4:19cv288-RH-MAF.

The case arises from the arrest of the plaintiff Eric K. Brooks. The defendants are three Tallahassee police officers who participated in the arrest. Mr. Brooks was convicted in state court of resisting arrest without violence and depriving an officer of a weapon—a taser. He is serving a sentence in the Florida Department of Corrections, currently at the Tomoka Correctional Institution in Daytona Beach, Florida.

In this federal case, Mr. Brooks asserts the officers used excessive force in effecting the arrest. Other claims have been dismissed. The issues are addressed in the order denying summary judgment on the excessive-force claim, ECF No. 63, and earlier orders.

No further discovery is anticipated. The case is ready for trial. The trial has been delayed to March 7, 2022 because Mr. Brooks is scheduled for release from custody on February 12, 2022. The trial probably will last no more than two days. The trial could be rescheduled on the motion of an attorney who undertakes the representation.

At the defendant's request, the case has been referred for a settlement conference with a magistrate judge. The conference has not yet been scheduled and could occur before or after an attorney enters the case.

Public funds are not available for the payment of attorney's fees. Fees may be recoverable under applicable law if Mr. Brooks ultimately prevails. *See* 42 U.S.C. §1988. Limited funds sometimes are available from the district's Bench and Bar Fund for the payment of out-of-pocket expenses incurred by an attorney providing representation of this kind.

Members of the district's bar will be afforded access to the electronic docket without charge for the purpose of considering whether to undertake the representation. An attorney who wishes to provide representation may contact Mr. Brooks directly and may enter the case by filing a notice of appearance.

An attorney who wishes to appear should file a notice of appearance by January 7, 2022.

SO ORDERED on August 12, 2021.

s/Robert L. Hinkle
United States District Judge