

UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF FLORIDA
PENSACOLA DIVISION

BRENT L. WILSON,
Plaintiff,

vs.

Case No.: 3:25cv890/MCR/ZCB

R. FLORES,
Defendant.

_____/

ORDER

Plaintiff is an inmate of the Florida Department of Corrections proceeding *pro se* and *in forma pauperis* in this civil rights action. He has filed a motion requesting Court-appointed counsel. (Doc. 19).

Indigent civil litigants generally have no right to be represented by court-appointed counsel. *Bass v. Perrin*, 170 F.3d 1312, 1320 (11th Cir. 1999). Nor does the Court have a budget to pay attorneys to represent indigent civil litigants. Thus, the Court is unable to select an attorney and order that attorney to represent Plaintiff free of charge. *See Mallard v. U.S. Dist. Ct. for S.D. Iowa*, 490 U.S. 296, 300-01 (1989) (declining to authorize “compulsory assignments of attorneys in civil cases”). The

Court may, however, in exceptional circumstances exercise its discretion to “*request* an attorney to represent any person unable to afford counsel.” 28 U.S.C. § 1915(e)(1) (emphasis added); *Bass*, 170 F.3d at 1320. Under this authority, the Court will direct the Clerk of Court to issue a notice to all attorneys registered with the Court’s electronic filing system, inviting an attorney to voluntarily represent Plaintiff. **Plaintiff is advised, however, that this request does not guarantee him representation in this case. He must continue to prosecute this case himself unless and until counsel appears on his behalf.**

Accordingly, it is **ORDERED** that Plaintiff’s motion requesting Court-appointed counsel (Doc. 19) is **DENIED in part** to the extent that the Court will not appoint an attorney to represent him and **GRANTED in part** to the extent that the Court directs the Clerk of Court to issue a notice to all attorneys registered with the Court’s electronic filing system, and publish on the Court’s website, the notice soliciting a volunteer attorney to represent Plaintiff. The notice must state:

This is a notice of an opportunity to provide *pro bono* representation in the case of *Wilson v. Flores.*, Case No. 3:25-cv-890-MCR-ZCB.

Plaintiff is an inmate of the Florida Department of Corrections, currently housed at Century Correctional Institution. Plaintiff seeks relief under 42 U.S.C. § 1983 against the warden of that institution for allegedly violating Plaintiff's constitutional right to freely exercise his religion (Yahweh) by requiring him to shave off all of his facial hair. (Doc. 11). According to Plaintiff, the violations are ongoing. He seeks injunctive relief and punitive damages.

Public funds are not available for the payment of attorney fees. But fees may be recoverable under applicable law if Plaintiff ultimately prevails. *See* 42 U.S.C. § 1988(b); *Maier v. Gagne*, 488 U.S. 122, 128-29 (1980); *Maine v. Thiboutot*, 488 U.S. 1, 9-10 (1980). Limited funds are sometimes 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 type.

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 the Clerk's office to obtain Plaintiff's contact information and may enter the case by filing a notice of appearance after obtaining Plaintiff's consent to the representation.

DONE AND ORDERED this 30th day of October 2025.

/s/ Zachary C. Bolitho

Zachary C. Bolitho
United States Magistrate Judge