

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

GREGORY B. COOPER,

Plaintiff,

v.

Case No. 4:18-cv-371-MJF

CHARLES D. MCCOY, *et al.*,

Defendants.

_____ /

ORDER

This matter is before the court *sua sponte*. Plaintiff filed a renewed motion for appointment of counsel. The undersigned denied this motion. Doc. 195. In light of the impending trial, however, the clerk of the court shall issue to all attorneys registered with the court's electronic filing system, and publish on the court's website, a notice soliciting a volunteer attorney for Plaintiff as set forth below. The notice must state:

This is a notice of an opportunity to provide *pro bono* representation in the case of *Cooper v. McCoy*, Case No. 4:18-cv-371-MJF.

Plaintiff is a prisoner in the custody of the Florida Department of Corrections. He alleges that ten Defendants violated his rights under the Eighth Amendment to the United States Constitution.

Plaintiff asserts that, after a Defendant placed him in restraints, Defendants proceeded to kick, punch, and beat Plaintiff until Plaintiff lost consciousness. Plaintiff also asserts that Defendants attempted to break his wrists.

Plaintiff's case has survived a motion for summary judgment. A jury trial is scheduled to commence in early July 2022.

Public funds are not available for payment of attorney's fees. Fees may be recoverable under applicable law if Plaintiff prevails. *See* 42 U.S.C. § 1988(b); *World Outreach Conf. Ctr. v. City of Chicago*, 234 F. Supp. 3d 904 (N.D. Ill. 2017). 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 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 Plaintiff directly and may enter the case by filing a notice of appearance. Plaintiff is currently confined at Taylor Correctional Institution.

SO ORDERED this 11th day of May, 2022.

/s/ Michael J. Frank

Michael J. Frank

United States Magistrate Judge