

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF KANSAS**

UNITED STATES OF AMERICA,)
)
Plaintiff,)
)
vs.) **Case No. 09-40073-JAR**
)
BRIAN MAURICE WRIGHT,)
)
Defendant.)
)

The Court now considers defendant Brian Maurice Wright’s Motion to Appoint Counsel (Doc. 40). He asks that “the courts appoint me an attorney in the filing of my 2255 case.” Defendant’s sentence was recently affirmed by the Tenth Circuit on direct appeal and he has not yet filed a motion for habeas corpus relief pursuant to 28 U.S.C. § 2255.

IT IS THEREFORE ORDERED BY THE COURT that defendant's Motion to Appoint Counsel (Doc. 40) is **denied** without prejudice to refiling.

S/ Julie A. Robinson
JULIE A. ROBINSON
UNITED STATES DISTRICT JUDGE