

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

ROBERT L. ROBINSON,

Plaintiff,

v.

CASE NO. 22-3047-SAC

SEDGWICK COUNTY JAIL, et al.,

Defendants.

MEMORANDUM AND ORDER

Plaintiff brings this pro se action under 42 U.S.C. § 1983. The Court granted Plaintiff leave to proceed in forma pauperis. Although Plaintiff is currently incarcerated at the Hutchinson Correctional Facility in Hutchinson, Kansas, the claims giving rise to his Complaint occurred during his detention at the Sedgewick County Detention Facility in Wichita, Kansas (“SCDF”). The Court screened Plaintiff’s Complaint under 28 U.S.C. § 1915A, and entered a Memorandum and Order (Doc. 7) (“M&O”) ordering the officials responsible for the operation of the SCDF to prepare a *Martinez* Report. The Court also denied Plaintiff’s Motion for Appointment of Counsel in the M&O. The matter is before the Court on Plaintiff’s Motion for Reconsideration of Appointment of Counsel (Doc. 8).

In the M&O, the Court denied Plaintiff’s Motion for Appointment of Counsel (Doc. 4) without prejudice to refile the motion if Plaintiff’s Complaint survives screening. (Doc. 7, at 7.) Plaintiff asks the Court to reconsider the denial of his motion, arguing that he has a long-standing history of mental illness, counsel would assist in the preservation of evidence and interpretation of legalese, and Plaintiff’s claims are complex.

Local Rule 7.3 provides that “[p]arties seeking reconsideration of non-dispositive orders must file a motion within 14 days after the order is filed” and the “motion to reconsider must be based on: (1) an intervening change in controlling law; (2) the availability of new evidence; or (3) the need to correct clear error or prevent manifest injustice.” D. Kan. Rule 7.3(b).

Plaintiff has failed to present any of the grounds warranting reconsideration as set forth in Local Rule 7.3. Plaintiff has not set forth an intervening change in controlling law or the availability of new evidence. Plaintiff has not set forth the need to correct clear error or to prevent manifest injustice. Plaintiff’s motion for reconsideration rehashes his prior arguments. Plaintiff’s motion was denied without prejudice and the Court has ordered a *Martinez* Report which will be provided to Plaintiff. Plaintiff’s motion for reconsideration is denied.

IT IS THEREFORE ORDERED THAT Plaintiff’s Motion for Reconsideration of Appointment of Counsel (Doc. 8) is **denied**.

IT IS SO ORDERED.

Dated April 1, 2022, in Topeka, Kansas.

s/ Sam A. Crow
Sam A. Crow
U.S. Senior District Judge