

UNITED STATES DISTRICT COURT

DISTRICT OF CONNECTICUT

HAZEL TOWER, :  
Plaintiff, :  
 :  
-vs- : Civil No. 3:03cv588 (PCD)  
 :  
STARLET WILDER and :  
TETTIE TISDALE, :  
Defendants. :

**Ruling on Plaintiff’s Motion for Appointment of Counsel**

Plaintiff moves for appointment of counsel pursuant to 28 U.S.C. § 1915. The district court has wide discretion in determining whether to appoint counsel pursuant to this provision. *Miller v. Pleasure*, 296 F.2d 283, 284 (2d Cir. 1961), *cert. denied*, 370 U.S. 964, 82 S. Ct. 1592, 8 L. Ed. 2d 830 (1962). To obtain counsel by appointment, Plaintiff must show she has made sufficient efforts to obtain counsel. *See Hodge v. Police Officers*, 802 F.2d 58, 61 (2d Cir. 1986). Once the court finds that she has demonstrated that she is unable to obtain counsel, the court must “determine whether the indigent’s position seems likely to be of substance.” *Id.* Once the court is satisfied that the two threshold requirements are satisfied,

the court should then consider the indigent’s ability to investigate the crucial facts, whether conflicting evidence implicating the need for cross-examination will be the major proof presented to the fact finder, the indigent’s ability to present the case, the complexity of the legal issues and any special reason . . . why appointment of counsel would be more likely to lead to a just determination.

*Id.* at 61-62.

Here, Plaintiff represents that she has made efforts to obtain counsel. Although the Court cannot reach the merits of her claim now, she alleges a Title VII discrimination

claim which ultimately may be of substance. The complexity of such employment discrimination claims, along with her inability to present the case without assistance, favors granting her motion for appointment of counsel at this time.

Plaintiff's motion for appointment of counsel [Doc. No. 18] is **granted**.

SO ORDERED.

Dated at New Haven, Connecticut, December \_\_\_\_, 2003.

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Peter C. Dorsey  
United States District Judge