

UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF
MICHIGAN

Joshua Renteria Gomez v. Rogers, et al.

Gomez · No. 24-11666 · Decided February 24, 2026

SUMMARY

The United States District Court for the Eastern District of Michigan denied without prejudice Joshua Gomez’s motion for appointment of counsel in his pro se civil rights action under 42 U.S.C. § 1983. The court held that Gomez had not demonstrated the exceptional circumstances required for appointed counsel and permitted him to renew the request if the case survives dispositive motion practice and proceeds to trial.

CASE DETAILS

COURT	United States District Court for the Eastern District of Michigan
WRITING FOR THE COURT	David R. Grand
JURISDICTION	United States District Court for the Eastern District of Michigan
DECIDED	February 24, 2026
DOCKET	24-11666
DISPOSITION	other
PROCEDURAL POSTURE	Pro se prisoner plaintiff moved for appointment of counsel in a civil-rights action under 42 U.S.C. § 1983.
STANDARD OF REVIEW	Appointment of counsel in a civil case is discretionary and is warranted only upon a showing of exceptional circumstances; the relevant considerations include the nature of the case, the plaintiff's ability to represent himself, the complexity of the factual and legal issues, and the relative merits of the claim.
PRECEDENTIAL VALUE	Unpublished district court order; persuasive but not generally precedential.
PARTIES	Joshua Renteria Gomez v. Rogers, et al.

TOPICS

- section 1983
- prisoners rights
- civil procedure

PRACTICE AREAS

civil procedure

prisoner civil rights

appointment of counsel

QUESTIONS PRESENTED

1. Whether Gomez demonstrated exceptional circumstances warranting appointment of counsel in his civil-rights action.
2. Whether the court should appoint counsel based on Gomez's asserted difficulty understanding the litigation, limited prior assistance, and potential future discovery needs.

HOLDINGS

1. Gomez did not demonstrate exceptional circumstances warranting appointment of counsel, because he adequately articulated his claims, appeared capable of understanding and advocating regarding the issues, and had not shown that he would be unable to obtain necessary discovery through the procedures available under the Federal Rules of Civil Procedure.

KEY QUOTATIONS

“Appointment of counsel in a civil case is not a constitutional right. It is a privilege that is justified only by exceptional circumstances,”

“IT IS ORDERED that Gomez’s motion for appointment of counsel (ECF No. 1) is DENIED WITHOUT PREJUDICE.”

FACTUAL BACKGROUND

Joshua Renteria Gomez, an inmate of the Michigan Department of Corrections, filed a pro se civil-rights complaint against numerous MDOC employees. He stated that he did not understand or comprehend everything he was doing and that, although he had previously used a legal writer, he could no longer do so. The court found that he adequately articulated the basis of his claims and appeared capable of understanding the issues and advocating for himself.

PROCEDURAL HISTORY

Gomez filed a pro se civil-rights complaint against numerous Michigan Department of Corrections employees and sought appointment of counsel. The magistrate judge construed his statements in the complaint as a motion for appointment of counsel and denied the motion without prejudice, permitting renewal if the case survived dispositive-motion practice and proceeded to trial.

DISPOSITION

other

CASES CITED

- *Lavado v. Keohane*, 992 F.2d 601, 605-606 (6th Cir. 1993)

- *Richmond v. Settles*, 450 F. App'x 448, 450 (6th Cir. 2011)
- *Stewart v. United States*, 2017 WL 939197, at *1 (W.D. Tenn. Mar. 7, 2017)

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