

UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF
LOUISIANA

Joshua Chronicles v. Loyola University New Orleans, et al.

Chronicles · No. 2:25-cv-02211 · Decided March 30, 2026

SUMMARY

The United States District Court for the Eastern District of Louisiana grants Joshua Chronicles’s second renewed motion for appointment of pro bono counsel under 28 U.S.C. § 1915(e)(1). The court finds extraordinary circumstances based on the complexity of the civil-rights claims, Chronicles’s documented cognitive and functional limitations, ongoing dispositive motions and agency investigations, and his unsuccessful efforts to obtain representation. The court orders the Civil Pro Bono Panel coordinator to search for an attorney and provide the attorney’s contact information by April 24, 2026.

CASE DETAILS

COURT	United States District Court for the Eastern District of Louisiana
WRITING FOR THE COURT	Michael B. North
JURISDICTION	United States District Court for the Eastern District of Louisiana
DECIDED	March 30, 2026
DOCKET	2:25-cv-02211
DISPOSITION	granted
PROCEDURAL POSTURE	Plaintiff renewed his motion for appointment of pro bono counsel under 28 U.S.C. § 1915(e)(1) after the court previously denied earlier requests without prejudice to renewal. The district court granted the renewed motion.
STANDARD OF REVIEW	The appointment of counsel under 28 U.S.C. § 1915(e)(1) is committed to the district court's discretion and requires extraordinary or exceptional circumstances.
PRECEDENTIAL VALUE	Unknown; district court order

TOPICS

- civil procedure
- ada / disability
- civil rights
- motions to dismiss

PRACTICE AREAS

QUESTIONS PRESENTED

1. Whether extraordinary or exceptional circumstances warranted appointment of pro bono counsel for Plaintiff under 28 U.S.C. § 1915(e)(1).

HOLDINGS

1. Appointment of counsel was warranted because the combination of case complexity, Plaintiff's documented cognitive and functional disabilities, inability to afford counsel, diligent but unsuccessful efforts to obtain representation, and the interests of justice constituted extraordinary circumstances.

KEY QUOTATIONS

“There is no right to appointed counsel in civil cases, and [courts] do not appoint counsel unless the case presents extraordinary circumstances warranting an appointment.”

“may experience difficulty independently managing high complex, adversarial, or procedurally demanding tasks, including prolonged administrative or legal proceeding”

FACTUAL BACKGROUND

Plaintiff alleged retaliation, racial and religious discrimination, disability discrimination, and procedural due process violations by personnel of Loyola University New Orleans. He submitted medical documentation describing service-connected PTSD, traumatic brain injury, post-traumatic migraine headaches, and cognitive and functional limitations affecting his ability to manage complex legal proceedings. The case had developed to include two defense motions to dismiss, alleged loss of access to relevant university email, and concurrent federal agency investigations. Plaintiff also represented that he had unsuccessfully sought private counsel because of the case's complexity and his inability to pay.

PROCEDURAL HISTORY

Plaintiff filed claims under 42 U.S.C. § 1983, Title VI, Title IX, the First Amendment, and related disability-discrimination theories. After denying earlier motions for appointment of counsel and a motion for reconsideration while allowing Plaintiff to renew the request after further case development, the court considered Plaintiff's second renewed motion. The court granted the motion and directed the Civil Pro Bono Counsel Panel coordinator to search for an attorney.

DISPOSITION

granted

CASES CITED

- *Hughes v. Univ. of Tex. Med. Branch*, 441 F. App'x 291, 293 (5th Cir. 2011)
- *Marquez v. Woods*, 440 F. App'x 318, 326 (5th Cir. 2011)

- Branch v. Cole, 686 F.2d 264, 266 (5th Cir. 1982)
- Knighton v. Watson, 616 F.2d 795, 799 (5th Cir. 1980)
- Encalade v. Biggers, Civ. A. No. 23-3283, 2023 WL 7398221, at *1 (E.D. La. Oct. 12, 2023)

OPINION

UNITED STATES DISTRICT COURT EASTERN DISTRICT OF LOUISIANA JOSHUA CHRONICLES CIVIL ACTION VERSUS NUMBER: 25-2211 LOYOLA UNIVERSITY NEW ORLEANS, ET AL. SECTION: “C” (5) ORDER AND REASONS Before the Court is the Motion for Appointment of Pro Bono Counsel (rec. doc. 59) filed by and Plaintiff Joshua Chronicles (“Plaintiff”).

Having reviewed the pleadings and the applicable law, the Court rules as follows. On October 29, 2025, Plaintiff filed claims under 42 U.S.C. § 1983, Title VI, Title IX, and the First Amendment, arising from alleged retaliation, racial and religious discrimination, and procedural due process violations by Loyola University New Orleans (“Loyola”) personnel.

(Rec. doc. 1). Plaintiff filed a Motion for Appointment of Counsel (rec. doc. 11) and later filed an Amended Motion to Appoint Counsel. (Rec. doc. 13). Plaintiff sought the appointment of counsel due to the alleged legal complexity of his case, the Constitutional issues, and his current medical and psychological limitations. (Rec. doc. 13). This Court denied Plaintiff’s first motion as moot and denied Plaintiff’s Amended Motion to Appoint Counsel while reserving to him his right to raise his request at a later time.

(Rec. doc. 16). The Court explained that should circumstances arise after further development in this case warranting appointment of counsel warranted, Plaintiff retained the right to so move the Court. (). Three days later, Plaintiff filed a motion for reconsideration. (Rec. doc. 18). He identified material facts, and the interests of justice. (). This Court denied Plaintiff’s motion with the right to re-urge after completion of the Court’s review of Plaintiff’s ADA documentation.

(Rec. doc. 38). Plaintiff now renews his motion pursuant to 28 U.S.C. § 1915(e)(1) and the Eastern District of Louisiana Civil Pro Bono Panel Resolution. (Rec. doc. 59). Plaintiff asserts that he is a 100% totally- and permanently-disabled veteran with disabilities such as a traumatic brain injury, chronic migraine, and service-connected post-traumatic stress disorder (“PTSD”), which substantially and materially impair his ability to manage complex litigation. (). “There is no right to appointed counsel in civil cases, and [courts] do not appoint Houdniss v. United States. The Supreme Court has held that extraordinary circumstances warranting an appointment.”, 441 F. App’x 291, 293 (5th Cir.

2011). Under 28 U.S.C. § 1915(e)(1), the decision to appoint counsel is entirely within the court's discretion., 440 F. App’x 318, 326 (5th Cir. 2014). The Court has held “[n]o

comprehensive definition of exceptional circumstances is practical,” 686 F.2d 264, 266 (5th Cir. 1982), a number of factors should be considered in ruling on requests to appoint counsel.

In making this decision, a court should, at a minimum, consider type and complexity of the case, the litigant's ability to investigate the case adequately, and the level of skill required to present the evidence., Civ. A. no. 23-3283, 2023 WL 7398221, at *1 (E.D. La. Oct. 12, 2023).

In this case, the Court finds that Plaintiff has successfully demonstrated that his case presents extraordinary circumstances warranting appointment of counsel. First, Plaintiff has provided the Court with a medical opinion from a Primary Care Provider at the Department of Veterans Affairs Fort Polk Community Based Outpatient Clinic that describes in detail his specific cognitive and functional limitations.

(Rec. doc. 59-1). Plaintiff's service- related medical conditions, including PTSD, traumatic brain injury (“TBI”), and post- traumatic migraine headaches have resulted in total and permanent disability. (). The letter specifically states that Plaintiff “may experience difficulty independently managing high complex, adversarial, or procedurally demanding tasks, including prolonged administrative or legal proceeding...” () Second, material developments in the case, paired with the specific cognitive processing limitations described, create exceptional circumstances that warrant the appointment of counsel.

Since issuing the last order denying Plaintiff the appointment of counsel, Defendant has filed two different motions to dismiss. Defendant filed a Motion to Dismiss for Failure to State a Claim Pursuant to Rule 12(b)(6) and a Motion to Dismiss Pursuant to rule 12(b)(5). (Rec. docs. 52, 56). Further, Plaintiff allegedly no longer has access to his Loyola University email, which contained Plaintiff's copies of every email complaint that he sent to the University President, Interim Provost, and faculty in which he reported racial harassment, sexual harassment, and disability discrimination.

(Rec. doc. 59 at 6). On December 9, 2025, the U.S. Department of Veterans Affairs Education Service opened a formal investigation into Loyola's treatment of Plaintiff as a disabled veteran receiving VA education benefits. (at 7).

The U.S. Department of Education Office for Civil Rights also opened an investigation into Plaintiff's Title VI, Title IX, and Section 504 allegations following a referral from U.S. Senator Bill Cassidy. (). Plaintiff argues that coordinating parallel civil litigation and two concurrent federal agency investigations pro se require the kind of strategic coordination that a litigant with cognitive processing limitations cannot independently manage.

The Court also notes that Plaintiff has made diligent good faith efforts to retain counsel which were all rebuffed due to case complexity and financial inability to pay. (at 9). Here, it is evident

that the appointment of counsel would be a service to Plaintiff, the Court, and Defendant by shaSrepee Knniniggh ttohne vi.s Wsuaetsk iinns,the case and serving as an aid to the litigation process in general.

616 F.2d 795, 799 (5th Cir. 1980). The combination of case complexity, documented disability, financial inability to retain counsel, diligent but unsuccessful efforts to obtain representation, and the critical interests of justice pIIrIe. sentCeodn hcelures iiollnustrate that the appointment of counsel is warranted. AITc cIoSr OdRinDgElyR, EanDd for the foregoing reasons, thGaRtA PNlaTinEtDif.f 's Second Renewed Motion for Appointment of Pro Bono CounselIT (reISc.

FdUocR. T5H9)E iRs ORDERED that, on or before April 24, 2026, the FBA-NO Pilot Program Coordinator is to undertake a search for an attorney from the Civil Pro Bono Counsel Panel for the appointment and provide that attorney's name and contact information to the undersigned. Once that information is received, the Court will issue an order directing the Clerk of Court to designate that attorney on the docket sheet as counsel for Plaintiff.

IT IS FURTHER ORDERED that the Clerk of Court forward a copy of this order to the 30th March Program Coordinator. New Orleans, Louisiana, this day of, 2026. MICHAEL B. NORTH
UNIT ED ST ATES M AGIST RATE JUDGE