

UNITED STATES DISTRICT COURT FOR THE SOUTHERN DISTRICT OF
ILLINOIS

Sillas v. Meyers

Sillas · No. 3:24-cv-01778-NJR · Decided January 14, 2026

SUMMARY

The United States District Court for the Southern District of Illinois denied Stanton Sillas’s fourth motion for recruitment of counsel in his action alleging deliberate indifference to medical needs, retaliation, and medical malpractice. Applying the Seventh Circuit’s two-part standard for recruiting counsel for indigent civil litigants, the court found that Sillas’s filings demonstrated sufficient competence and that he had not shown materially changed circumstances or discovery-related obstacles warranting appointment of counsel.

CASE DETAILS

COURT	United States District Court for the Southern District of Illinois
WRITING FOR THE COURT	Nancy J. Rosenstengel
JURISDICTION	United States District Court for the Southern District of Illinois
DECIDED	January 14, 2026
DOCKET	3:24-cv-01778-NJR
DISPOSITION	other
PROCEDURAL POSTURE	Plaintiff, an incarcerated pro se litigant asserting claims concerning medical care, retaliation, and medical malpractice, filed a fourth motion for recruitment of counsel under 28 U.S.C. § 1915(e)(1).
STANDARD OF REVIEW	Abuse of discretion; recruitment of counsel for an indigent civil litigant lies within the trial court's sound discretion.
PRECEDENTIAL VALUE	Unknown; district court memorandum and order
PARTIES	Stanton Sillas v. Percy Meyers, Tammy Stevens, Lesli Kluge, Rebecca Anderer, Melissa Ogle, Wexford Health Sources Inc., Deborah Kramm, Latoya Hughes

TOPICS

- civil procedure
- prisoners rights
- civil rights
- discovery dispute

PRACTICE AREAS

Civil procedure

Prisoner civil rights

Access to counsel

QUESTIONS PRESENTED

1. Whether the court should recruit counsel for an indigent incarcerated plaintiff who had made efforts to obtain counsel but whose filings demonstrated an ability to litigate the case pro se.
2. Whether Sillas's fourth motion materially changed the circumstances supporting his previously denied requests for recruited counsel.

HOLDINGS

1. An indigent civil litigant has no constitutional or statutory right to counsel; recruitment of counsel under 28 U.S.C. § 1915(e)(1) is discretionary and depends on the two-part inquiry concerning the plaintiff's reasonable efforts to obtain counsel and competence to litigate the case given its difficulty.
2. Recruitment of counsel was unwarranted because Sillas's fourth motion did not materially differ from his third motion and did not show that changed circumstances prevented him from conducting discovery or litigating the case.

KEY QUOTATIONS

“There is no constitutional or statutory right to counsel for a civil litigant, however.”

“In determining whether to recruit counsel, the Court is directed to make a two-fold inquiry: “(1) [H]as the indigent plaintiff made a reasonable attempt to obtain counsel or been effectively precluded from doing so; and if so, (2) given the difficulty of the case, does the plaintiff appear competent to litigate it himself?””

“Sillas’s fourth motion does not materially differ from his third, and he does not make any attempt to explain how his situation has changed.”

FACTUAL BACKGROUND

Stanton Sillas is an Illinois Department of Corrections inmate proceeding on eight claims against eight defendants relating to his medical care while incarcerated. Discovery was ongoing and scheduled to end in March 2026, and Sillas had successfully amended his complaint to add two claims. He asserted that he lacked legal training, had limited access to a law library, had been transferred, and had unsuccessfully contacted law firms, but he did not identify new discovery problems or explain why the court's previously suggested alternatives were inadequate.

PROCEDURAL HISTORY

The court had previously denied three requests for recruitment of counsel, while finding that Sillas had met the threshold requirement of attempting to obtain counsel and was competent to proceed pro se. In this fourth motion, Sillas cited his lack of legal training, limited law-library access, transfer to another institution, and unsuccessful efforts to obtain counsel. The court concluded that the motion did not materially differ from the prior request and denied it.

DISPOSITION

other

CASES CITED

- Stroe v. Immigration and Naturalization Service, 256 F.3d 498, 500 (7th Cir. 2001)
- Zarnes v. Rhodes, 64 F.3d 285, 288 (7th Cir. 1995)
- Pruitt v. Mote, 503 F.3d 647, 654-55 (7th Cir. 2007)
- Johnson v. Doughty, 433 F.3d 1001, 1006 (7th Cir. 2006)
- Farmer v. Haas, 990 F.2d 319, 321-22 (7th Cir. 1993)
- Dewitt v. Corizon, Inc., 760 F.3d 654, 657 (7th Cir. 2014)