

UNITED STATES DISTRICT COURT FOR THE DISTRICT OF UTAH

Aaron Michael Uhl v. Bonds R Us, et al.

Uhl · No. 1:22-cv-00170-DAK-JCB · Decided April 20, 2026

SUMMARY

The United States District Court for the District of Utah grants Plaintiff Aaron Michael Uhl a 60-day extension to comply with the court’s service-of-process order, setting a deadline of May 19, 2026. The court denies his motion to appoint counsel, concluding that he has not shown that counsel is warranted based on the merits, factual complexity, ability to present his claims, or legal complexity.

CASE DETAILS

COURT	United States District Court for the District of Utah
WRITING FOR THE COURT	Jared C. Bennett
JURISDICTION	United States District Court for the District of Utah
DECIDED	April 20, 2026
DOCKET	1:22-cv-00170-DAK-JCB
DISPOSITION	other
PROCEDURAL POSTURE	Plaintiff moved for a 60-day extension of the deadline to comply with an order concerning service of process and moved for appointment of counsel. The court granted the extension and denied appointment of counsel.
STANDARD OF REVIEW	Appointment of counsel in a civil case is committed to the district court's sound discretion. The applicant bears the burden of demonstrating sufficient merit and need to warrant requesting counsel.
PRECEDENTIAL VALUE	Unpublished district court order; limited precedential value.
PARTIES	Aaron Michael Uhl v. Bonds R Us, et al.

TOPICS

- service of process
- civil procedure

PRACTICE AREAS

- Civil procedure
- Prisoner civil rights

QUESTIONS PRESENTED

1. Whether good cause warranted extending the deadline for Plaintiff to comply with the court's order concerning service of process.
2. Whether Plaintiff demonstrated that requesting counsel was warranted in this civil case.

HOLDINGS

1. For good cause shown, the court granted Plaintiff a 60-day extension and required him to comply with the service-of-process order by May 19, 2026.
2. Plaintiff failed to carry his burden of showing that requesting counsel was necessary. In evaluating the request, the court considered the merits of the claims, the nature of the factual issues, Plaintiff's ability to present his claims, and the complexity of the legal issues.

KEY QUOTATIONS

“There is no constitutional right to appointed counsel in a civil case.”

“The court may request an attorney to represent any person unable to afford counsel.”

“The appointment of counsel in a civil case is left to the sound discretion of the district court.”

“The burden is upon the applicant to convince the court that there is sufficient merit to his claim[s] to warrant the appointment of counsel.”

FACTUAL BACKGROUND

Aaron Michael Uhl, proceeding pro se and while incarcerated, was required to comply with a prior order concerning service of process. He sought a 60-day extension and appointment of counsel, asserting that counsel was necessary. The court found that his complaint should be served, that the factual and legal issues were not unusually complex, and that his detailed complaint showed familiarity with the relevant facts.

PROCEDURAL HISTORY

The case was referred by District Judge Dale A. Kimball to Magistrate Judge Jared C. Bennett under 28 U.S.C. § 636(b)(1)(B). The court had previously ordered Plaintiff to comply with requirements concerning service of process and had determined that his complaint should be served on Defendants. Plaintiff then sought additional time and appointment of counsel.

DISPOSITION

other

CASES CITED

- *Mallard v. U.S. Dist. Court for the S. Dist. of Iowa*, 490 U.S. 296, 307-08 (1989)
- *Durre v. Dempsey*, 869 F.2d 543, 547 (10th Cir. 1989) (per curiam)

- Shabazz v. Askins, 14 F.3d 533, 535 (10th Cir. 1994)
- Rucks v. Boergermann, 57 F.3d 978, 979 (10th Cir. 1995)
- McCarthy v. Weinberg, 753 F.2d 836, 838 (10th Cir. 1985) (per curiam)

OPINION

Aaron Michael Uhl v. Bonds R Us, et al.

PER CURIAM.

THE UNITED STATES DISTRICT COURT

DISTRICT OF UTAH

AARON MICHAEL UHL, ORDER

Plaintiff, Case No. 1:22-cv-00170-DAK-JCB v. BONDS R US, et al., District Judge Dale A. Kimball Defendants. Magistrate Judge Jared C. Bennett District Judge Dale A. Kimball referred this case to Magistrate Judge Jared C. Bennett under 28 U.S.C. § 636(b)(1)(B).¹ Pro se Plaintiff Aaron Michael Uhl (“Mr. Uhl”) moves: (1) to extend the deadline to comply with the court’s order regarding service of process, and (2) to appoint counsel.² For the reasons stated below, the court grants in part and denies in part Mr. Uhl’s motion. For good cause shown, the court grants Mr. Uhl’s motion for a 60-day extension of the deadline to comply with the court’s order concerning service of process.³ Mr. Uhl must comply with the requirements of that order on or before May 19, 2026. ¹ ECF No. 6. ² ECF No. 34. Mr. Uhl requests leave to file a renewed motion to appoint counsel, but because he argues that appointed counsel is necessary, the court construes his motion as one to appoint counsel. ³ ECF No. 33. Next, the court denies Mr. Uhl’s motion to appoint counsel because he fails to carry his burden of showing that appointed counsel is necessary.⁴ “There is no constitutional right to appointed counsel in a civil case.”⁵ However, “[t]he court may request an attorney to represent any person unable to afford counsel.”⁶ “The appointment of counsel in a civil case is left to the sound discretion of the district court.”⁷ When deciding whether to appoint counsel, the court weighs the following factors: “the merits of the litigant’s claims, the nature of the factual issues raised in the claims, the litigant’s ability to present his claims, and the complexity of the legal issues raised by the claims.”⁸ Ultimately, “[t]he burden is upon the applicant to convince the court that there is sufficient merit to his claim[s] to warrant the appointment of counsel.”⁹ Mr. Uhl fails to meet his burden under those factors. First, with respect to the merits of Mr. Uhl’s claims, the court has reviewed his complaint and determined that his complaint should be served on Defendants. However, at this point, the merits of Mr. Uhl’s claims are not at issue. Indeed, the only current requirement that Mr. Uhl must fulfill is to comply with the court’s order regarding service of process. The court is not persuaded that appointed counsel is needed to ⁴ Although this and other courts discuss the “appointment of counsel” in the context of a civil case, that phrase is technically inaccurate because the court lacks the authority to “appoint counsel” in a civil case as it does in a criminal case. In a civil case, such as this one, all the court can do is request counsel to take the case, and counsel can decline. *Mallard v. U.S. Dist. Court for*

the S. Dist. of Iowa, 490 U.S. 296, 307-08 (1989) (recognizing that courts cannot compel an unwilling attorney to represent a party in a civil case). 5 *Durre v. Dempsey*, 869 F.2d 543, 547 (10th Cir. 1989) (per curiam). 6 28 U.S.C. § 1915(e)(1). 7 *Shabazz v. Askins*, 14 F.3d 533, 535 (10th Cir. 1994). 8 *Rucks v. Boergermann*, 57 F.3d 978, 979 (10th Cir. 1995) (citation modified). 9 *McCarthy v. Weinberg*, 753 F.2d 836, 838 (10th Cir. 1985) (per curiam). assist Mr. Uhl with that task. Second, the nature of the factual issues raised in this case are not particularly complicated, and Mr. Uhl's detailed complaint demonstrates that he is intimately familiar with the facts. Third, while the court recognizes the potential barriers Mr. Uhl faces in pursuing this case while incarcerated, those circumstances were created through Mr. Uhl's own actions and do not justify appointing counsel. Finally, the legal issues in this case are not so complex as to require the appointment of counsel. In sum, Mr. Uhl fails to carry his burden of demonstrating that appointing counsel is warranted. Therefore, the court denies his motion to appoint counsel.

ORDER

For the reasons stated above, the court HEREBY ORDERS:

1. Mr. Uhl's motion for an extension of the deadline to comply with the court's order regarding service of process is GRANTED. Mr. Uhl must comply with the requirements of that order on or before May 19, 2026.

2. Mr. Uhl's motion to appoint counsel is DENIED.

IT IS SO ORDERED. DATED this 20th day of April 2026. BY THE COURT:

JARED C. BENNETT

United States Magistrate Judge