

UNITED STATES DISTRICT COURT FOR THE SOUTHERN DISTRICT OF
INDIANA

West v. Phelan

West v. Phelan · No. 3:25-cv-00199-RLY-CSW · Decided February 24, 2026

SUMMARY

The United States District Court for the Southern District of Indiana denied Iona West’s motion for appointment of counsel. The court concluded that West had paid the filing fee, had not established indigence, had not demonstrated sufficiently extensive efforts to obtain counsel, and had not shown an inability to litigate the case pro se.

CASE DETAILS

COURT	United States District Court for the Southern District of Indiana
WRITING FOR THE COURT	Crystal S. Wildeman
JURISDICTION	United States District Court for the Southern District of Indiana
DECIDED	February 24, 2026
DOCKET	3:25-cv-00199-RLY-CSW
DISPOSITION	other
PROCEDURAL POSTURE	Plaintiff moved for appointment or recruitment of counsel in a federal civil action. The court denied the motion.
STANDARD OF REVIEW	The court applied the discretionary standard governing recruitment of counsel for indigent civil litigants: whether the plaintiff made a reasonable attempt to obtain counsel and whether, given the difficulty of the case, the plaintiff appeared competent to litigate it herself.
PRECEDENTIAL VALUE	Unknown; district court order
PARTIES	Iona West v. John Phelan, Secretary of the Navy, in his official capacity

TOPICS

- civil procedure
- motions to dismiss

PRACTICE AREAS

- civil procedure
- civil rights employment litigation

QUESTIONS PRESENTED

1. Whether the plaintiff was entitled to appointment or recruitment of counsel in her civil action.
2. Whether the plaintiff satisfied the requirements for recruited counsel by demonstrating indigency, reasonable efforts to obtain counsel, and an inability to litigate the case herself.

HOLDINGS

1. Civil case litigants in federal court have no general right to appointed counsel.
2. The plaintiff did not establish grounds for recruited counsel because she did not demonstrate that she was indigent, had made reasonable efforts to obtain counsel, or was unable to litigate the matter herself.

KEY QUOTATIONS

“Two questions guide a court’s discretionary decision whether to recruit counsel: (1) ‘has the indigent plaintiff made a reasonable attempt to obtain counsel or been effectively precluded from doing so,’ and (2) ‘given the difficulty of the case, does the plaintiff appear competent to litigate it himself?’”

FACTUAL BACKGROUND

Iona West paid the \$405 filing fee for her action and had not filed a motion to proceed in forma pauperis. She stated that she was employed, had contacted attorneys, and could not reasonably retain private counsel because of the complexity and anticipated cost of federal litigation. The court found that she had not demonstrated indigency, exhausted reasonable efforts to hire counsel, or an inability to litigate pro se.

PROCEDURAL HISTORY

Plaintiff paid the filing fee and did not move to proceed in forma pauperis. She moved for appointment of counsel, asserting that she could not reasonably retain private counsel because of the complexity and anticipated cost of the litigation. The court denied the motion.

DISPOSITION

other

CASES CITED

- Walker v. Price, 900 F.3d 993, 938 (7th Cir. 2018)
- Pruitt v. Mote, 503 F.3d 647, 654 (7th Cir. 2007) (en banc)