

UNITED STATES DISTRICT COURT FOR THE MIDDLE DISTRICT OF
PENNSYLVANIA

Nyheim Reaves v. Jennifer Rossman, et al.

Reaves · No. 3:21-CV-1282 · Decided January 5, 2026

SUMMARY

The court denied the pro se prisoner plaintiff's request for appointment of a guardian ad litem under Federal Rule of Civil Procedure 17(c), finding that the record showed mental illness but not legal incompetence. The court conditionally granted a request for appointed counsel, subject to a member of the Middle District of Pennsylvania's pro bono panel agreeing to represent the plaintiff. The court ordered the pro bono coordinator to report on efforts to locate counsel by February 5, 2026.

CASE DETAILS

COURT	United States District Court for the Middle District of Pennsylvania
WRITING FOR THE COURT	Martin C. Carlson
JURISDICTION	United States District Court for the Middle District of Pennsylvania
DECIDED	January 5, 2026
DOCKET	3:21-CV-1282
DISPOSITION	other
PROCEDURAL POSTURE	The court considered whether to appoint a guardian ad litem for a pro se prisoner plaintiff under Federal Rule of Civil Procedure 17(c), and construed the plaintiff's filings as a renewed request for appointment of counsel.
STANDARD OF REVIEW	Appointment of a guardian ad litem rests in the district court's sound discretion and is reviewed for abuse of discretion.
PRECEDENTIAL VALUE	nonprecedential district court memorandum and order

TOPICS

[guardian ad litem](#) [guardianship procedure](#) [prisoners rights](#) [civil rights](#) [civil procedure](#)

PRACTICE AREAS

[civil procedure](#) [prisoner civil rights](#) [guardianship procedure](#) [appointment of counsel](#)

QUESTIONS PRESENTED

1. Whether the evidence established that Reaves was legally incompetent such that Federal Rule of Civil Procedure 17(c) required appointment of a guardian ad litem or another protective order.
2. Whether Reaves's filings should be construed as a renewed request for appointment of counsel and, if so, whether that request should be conditionally granted through the court's pro bono panel.

HOLDINGS

1. Appointment of a guardian ad litem was not warranted because the record showed that Reaves was mentally ill but not legally incompetent, and did not contain verifiable evidence of incompetence.
2. The court conditionally granted Reaves's request for appointment of counsel, contingent on a member of the Middle District of Pennsylvania Federal Bar Association's pro bono panel agreeing to represent him.

KEY QUOTATIONS

“The obligation imposed by the final sentence of Rule 17(c)—the duty to ‘appoint’ or ‘make such other order’—arises after a determination of incompetency.”

“On these facts, it simply cannot be said that Reaves displays the type of profound mental incompetence which is a prerequisite for appointment of a guardian ad litem under Rule 17.”

FACTUAL BACKGROUND

Reaves is a pro se prisoner with diagnoses including major depression, PTSD, ADHD, antisocial behavior disorder, and substance-use disorders. Although he reported medication-related drowsiness and difficulty comprehending questions during an attempted deposition, his prior competency evaluation found him mentally ill but competent, and contemporaneous prison treatment records described fair judgment and insight, normal attention and orientation, logical thought processes, and the ability to provide informed consent to treatment. His claims concern due process and Eighth Amendment violations allegedly arising from approximately two and one-half years of solitary confinement that exacerbated his mental-health symptoms.

PROCEDURAL HISTORY

Reaves had litigated the action pro se since July 2021, asserting due process and Eighth Amendment claims concerning an allegedly prolonged period of solitary confinement. During discovery, defense counsel reported that a deposition could not proceed because Reaves claimed medication side effects impaired his ability to understand questions and testify truthfully. The court ordered the parties to submit evidence concerning Reaves's competency, reviewed the resulting mental-health materials, denied appointment of a guardian ad litem, and conditionally granted a request for volunteer counsel.

DISPOSITION

other

CASES CITED

- Powell v. Symons, 680 F.3d 301, 306-07 (3d Cir. 2012)
- Ferrelli v. River Manor Health Care Ctr., 323 F.3d 196, 201-02 & n. 4 (2d Cir. 2003)
- Hudnall v. Sellner, 800 F.2d 377, 385 (4th Cir. 1986)
- Mondelli v. Berkeley Heights Nursing & Rehab. Ctr., 1 F.4th 145, 149 (3d Cir. 2021)
- Tabron v. Grace, 6 F.3d 147, 153 (3d Cir. 1993)

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