

UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF  
MISSOURI, EASTERN DIVISION

**Billy Ray v. Jacob L. Smith, et al.**

Ray · No. 4:24-cv-1211-MTS · Decided April 3, 2026

SUMMARY

The United States District Court for the Eastern District of Missouri grants in part Billy Ray’s motion for an extension of time to provide initial disclosures and comply with filing-fee obligations. The court denies without prejudice his motion for appointment of counsel and warns that failure to meet the April 24, 2026 deadlines will result in dismissal without further notice.

CASE DETAILS

|                       |                                                                                                                                                                                                                       |
|-----------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| COURT                 | United States District Court for the Eastern District of Missouri, Eastern Division                                                                                                                                   |
| WRITING FOR THE COURT | Matthew T. Schelp                                                                                                                                                                                                     |
| JURISDICTION          | United States District Court for the Eastern District of Missouri, Eastern Division                                                                                                                                   |
| DECIDED               | April 3, 2026                                                                                                                                                                                                         |
| DOCKET                | 4:24-cv-1211-MTS                                                                                                                                                                                                      |
| DISPOSITION           | other                                                                                                                                                                                                                 |
| PROCEDURAL POSTURE    | Plaintiff moved for an extension of time and appointment of counsel in an ongoing prisoner civil-rights action. The district court granted the extension in part and denied appointment of counsel without prejudice. |
| PRECEDENTIAL VALUE    | unpublished                                                                                                                                                                                                           |

TOPICS

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

PRACTICE AREAS

- civil procedure
- prisoner civil rights
- appointment of counsel

QUESTIONS PRESENTED

- Whether Plaintiff should receive additional time to complete his overdue initial-disclosure and filing-fee obligations.

2. Whether appointment of counsel was warranted for Plaintiff at that stage of the civil action.
3. Whether the Court should warn that failure to comply with the extended deadlines would result in dismissal.

#### **HOLDINGS**

1. The Court granted Plaintiff's motion for an extension of time in part and extended the deadline for completing his outstanding deadlines, including providing initial disclosures and making the required filing-fee payment or submitting a certified account statement, to April 24, 2026.
2. Appointment of counsel was not warranted at that stage, so the Court denied Plaintiff's motion without prejudice.
3. If Plaintiff failed to complete the outstanding deadlines by April 24, 2026, the action would be dismissed without further notice.

#### **KEY QUOTATIONS**

*“the appointment of counsel is not warranted at this stage.”* (at 2)

*“The failure to timely comply with this Order will result in the dismissal of this action without further notice.”*  
(at 3)

#### **FACTUAL BACKGROUND**

Plaintiff had not complied with the Court's February 4, 2026 order and had not provided initial disclosures to Defendants. He represented that recently started medications affected his ability to understand what needed to be done. Plaintiff also had outstanding filing-fee payment obligations under 28 U.S.C. § 1915(b)(2) and requested appointment of counsel.

#### **PROCEDURAL HISTORY**

The Court had previously ordered Plaintiff to complete certain tasks, including providing initial disclosures and complying with filing-fee payment requirements. Plaintiff sought additional time, citing the effects of recently started medications, and separately moved for appointment of counsel. The Court extended the deadlines, denied counsel without prejudice, and warned that failure to comply would result in dismissal without further notice.

#### **DISPOSITION**

other

#### **CASES CITED**

- Hodges v. Meletis, 109 F.4th 252, 257 (4th Cir. 2024)
- Stevens v. Redwing, 146 F.3d 538, 546 (8th Cir. 1998)
- Carter v. Broward Cnty. Sheriff's Dep't Med. Dep't, 558 F. App'x 919, 923 (11th Cir. 2014) (per curiam)

