

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF FLORIDA
PENSACOLA DIVISION

EMMANUEL VELAZQUEZ,

Plaintiff,

v.

Case No. 3:21cv1831-MCR-HTC

SERGEANT LOWERY, et al.,

Defendants.

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ORDER

Plaintiff previously requested the assistance of counsel to help him prosecute this case, which was denied. ECF Docs. 34, 37. Considering Defendants' motion for summary judgment has been denied, ECF Doc. 53, and this case is moving towards trial, the Court will *sua sponte* direct the clerk to issue a notice to all attorneys registered with the Court's electronic filing system inviting an attorney to represent Plaintiff voluntarily.

This Order is merely a request for an attorney to represent Plaintiff; an attorney may decline to appear in this case. Plaintiff, therefore, should continue to prosecute his case and continue to comply with all Court orders at this time, including the order directing him to submit his pretrial materials.

Accordingly, it is ORDERED:

1. The clerk must issue a notice to all attorneys registered with the Court's electronic filing system, and publish on the Court's website, the notice soliciting a volunteer attorney set forth below. The notice must state:

This is a notice of an opportunity to provide pro bono representation in the case of *Velazquez v. Lowery, et al.*, Case No. 3:21cv1831-MCR-HTC.

Plaintiff Emmanuel Velazquez is serving a sentence in the Florida Department of Corrections. Plaintiff alleges the correctional officer Defendants violated the Eighth Amendment by using excessive force against him or by failing to prevent the excessive use of force during a cell extraction on February 23, 2021, at Santa Rosa Correctional Institution Annex. Further detail is provided in the complaint (ECF Doc. 1) and the report recommending that Defendants' motion for summary judgment be denied (ECF Doc. 50).

Defendants' motion for summary judgment has been denied and the parties are preparing for trial. Limited funds are sometimes available from the district's Bench and Bar Fund for the payment of out-of-pocket expenses incurred by an attorney providing representation of this type.

Members of the district's bar will be afforded access to the electronic docket without charge for the purpose of considering whether to undertake the representation of Plaintiff. An attorney who wishes to provide representation may contact Plaintiff¹ directly and may enter the case by filing a notice of appearance.

¹ Plaintiff is currently incarcerated at Florida State Prison in Raiford, Florida.

DONE AND ORDERED this 12th day of December, 2022.

/s/ Hope Thai Cannon

**HOPE THAI CANNON
UNITED STATES MAGISTRATE JUDGE**