

**UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF FLORIDA
TALLAHASSEE DIVISION**

GERNARD DENEZ CHESTNUT,

Plaintiff,

v.

Case No. 4:22-cv-465-AW-MJF

JAMES CARTER, *et al.*,

Defendants.

**ORDER DIRECTING THE CLERK TO NOTIFY
BAR MEMBERS OF THE OPPORTUNITY TO
REPRESENT THE PLAINTIFF PRO BONO**

The clerk of the court shall send a notice to all attorneys registered with the court's electronic filing system. The notice must state:

This is notice of an opportunity to provide *pro bono* representation in the case of *Chestnut v. Carter*, No. 4:22-cv-465-AW-MJF.

Plaintiff is a prisoner in the custody of the Florida Department of Corrections. Plaintiff's third amended complaint is the operative complaint. Doc. 69. Plaintiff is suing four correctional officers under 42 U.S.C. § 1983. Plaintiff claims that two of the officers used excessive force and that two other officers failed to intervene and protect Plaintiff. Plaintiff alleges that while he was lying face down on the floor with his hands cuffed behind his back, the officers repeatedly punched his genitals and twisted his fingers and

wrist. Doc. 69 at 7. Defendants also allegedly broke one of Plaintiff's fingers. *Id.* at 8.

Public funds are not available for payment of attorney's fees. Fees may be recoverable under applicable law if Plaintiff prevails. *See* 42 U.S.C. § 1988(b); *World Outreach Conference Ctr. v. City of Chicago*, 234 F. Supp. 3d 904 (N.D. Ill. 2017). Limited funds sometimes are 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. An attorney who wishes to represent Plaintiff may contact him directly and may enter the case by filing a notice of appearance. Plaintiff currently is housed at the Suwannee Correctional Institution.

SO ORDERED this 10th day of October, 2024.

/s/ Michael J. Frank

Michael J. Frank

United States Magistrate Judge