

UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY

SHAWN ARCHIE, SR., et al.,

Plaintiffs,

v.

RICHARD SMITH, et al.,

Defendants.

Civ. No. 20-7907 (NLH)(KMW)

ORDER

1. Federal law requires this Court to screen Plaintiffs' Complaint for sua sponte dismissal prior to service, and to dismiss any claim if that claim fails to state a claim upon which relief may be granted under Fed. R. Civ. P. 12(b)(6) and to dismiss any defendant who is immune from suit. See 28 U.S.C. § 1915(e)(2)(B).

2. This Court has screened the Complaint in this action for dismissal and has determined that the Complaint states a claim under 42 U.S.C. § 1983. Accordingly, dismissal of the complaint is not warranted at this time.

3. Plaintiffs have requested the appointment of counsel to represent them in their proposed class action. The Court has considered the factors enumerated in Tabron v. Grace, 6 F.3d 147 (3d Cir. 1993), and concludes the interests of justice would be served by appointing counsel in this matter.

IT IS therefore on this 16th day of July, 2020,
ORDERED that the complaint shall proceed; and it is further
ORDERED that the Clerk shall select an attorney from the
civil pro bono panel; and it is further

ORDERED that the selected appointed attorney from the civil
pro bono panel shall enter a notice of appearance within
fourteen (14) days of the date of his or her appointment; and it
is further

ORDERED that the Clerk shall issue summonses to the
appointed attorney upon his or her entering an appearance; and
it is further

ORDERED that the selected appointed attorney shall submit a
status update to the Court within 30 days of entering an
appearance; and it is finally

ORDERED that the Clerk of the Court shall send a copy of
this Order to Plaintiffs by regular U.S. mail.

At Camden, New Jersey

s/ Noel L. Hillman
NOEL L. HILLMAN, U.S.D.J.