

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION

IN RE:

Chapter 11

TEHUM CARE SERVICES, INC.,

Case No. 23-90086 (CML)

Debtor.

United States Courts
Southern District of Texas
FILED

JUL 07 2025

MOTION FOR APPOINTMENT OF COUNSEL

Nathan Ochsenr, Clerk of Court

On or about May 2024, Plaintiff Michael Estelle Jr., filed a *pro se* prisoner civil rights action pursuant to 42 U.S.C. § 1983 against Ron Applebey, Et. al., asserting his claim and situation, seeking declaratory relief, and monetary damages. Plaintiff, pursuant to 28 U.S.C. § 1915(e)(1), now requests this Honorable Court to appoint counsel to represent him in this case for the following reasons:

1. Plaintiff is indigent and not able to afford counsel.
2. The issues involved in this case are complex. It will be necessary for Plaintiff to deal with complicated discovery issues. Obtaining that information requires expertise beyond Plaintiff's capabilities.
3. The prison limits the hours that Plaintiff may have access to the prison library.
4. Plaintiff has a limited knowledge of the law as well as a limited educational background.



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5. The ends of justice would best be served in this case if an attorney was appointed to represent the Plaintiff.

6. Because Plaintiff is a prisoner, he is unable to seek concurrence in the relief sought.

7. While a prisoner has no constitutional right or statutory rights to appointment of counsel in a civil case, a court does have the discretionary power to appoint counsel. Given the complexity of this case, Plaintiff believes that he is a good candidate for such an appointment and prays that the Honorable Court appoint an attorney to represent him in this matter. The ends of justice would best be served in this case if an attorney was appointed to represent the Plaintiff.

8. Plaintiff needs assistance in complex and intricate procedures and rules of the bankruptcy court.

9. Plaintiff is also anticipating difficulty in obtaining kites, medical records, and grievances from correctional facility where the incident occurred.

10. Pursuant to USCS Fed Rules of Evidence 201; as a suitor in this case, my stand is that I'm putting the court's on judicial notice. Due to the fact that I never received from either party, the bankruptcy court, or Tehum Care Services Inc. a copy of the "Plan". Therefore, this "Plan" or agreement shall remain void to me until further notice.

11. Defendant's motion to stay hasn't been decided upon by the court's residing over the suit. Therefore, I shall be awarded an extension on the enjoinder –at the very least.

12. I never received an notice from the settlement administrator following the agreement. At the point in time I had not filed my claim. I learned about the bankruptcy and the "Plan" through a correspondence that had been addressed to a Mr. Dennison (See Exhibit A). That was mailed to me from Bowman and Brooke Attorney's at Law. Due process states that I have a right to a notice of the proposed action and the grounds asserted for the action. So forcing me into

an injunction without affording me the option to “Opt Out” or providing me with a copy of the “Plan”, would be a direct violation of my due process.

RELIEF REQUESTED

WHEREFORE, Plaintiff, requests that this Honorable Court grant this motion to appoint counsel to *pro se* Plaintiff. [REDACTED]

Pursuant to 28 U.S.C. § 1746, "I declare (or certify, verify, or state) under the penalty of perjury that the forgoing is true and correct."

Respectfully Submitted,

Date Executed On: June 29, 2025

A handwritten signature in cursive script, appearing to read "Michael Estelle".

Michael Estelle # 721653

Exhibit A



Bowman and Brooke
Attorneys at Law

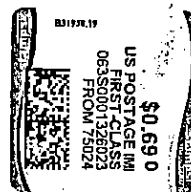
8850 Granite Parkway
Suite 600
Pine, TX 75024

Attorneys at Law

6-15657 (A)

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Michael Tyrone Estelle #721653, Jr.
Bellamy Creek Correctional Fac
(DB)
1727 West Bluewater Hwy
Ionia MI 48846

RECEIVED
JUN 17 2025

lawyer said
not to pay
process as
regular





Adam Masin
Direct: +1.646.914.6790
Email: adam.masin@bowmanandbrooke.com

June 3, 2025

Michael Tyrome Estelle #721653, Jr.
Egeler (MSP)
Charles Egeler Reception And Guidance Center
3855 Cooper St.
Jackson, MI 49201

Re: Michael T. Estelle v. Ron Applebey, 24-cv-530 (USDC Western District of Michigan)

Dear Mr. Dennison:

We write in regard to the above-captioned personal injury action asserted against a former employee of Corizon Health, Inc. to inform you that this lawsuit must be stayed for as long as a "Channeling Injunction" remains in effect pursuant to the **now effective** First Modified Joint Chapter 11 Plan of Reorganization of the Tort Claimants' Committee, the Official Committee of Unsecured Creditors, and the Debtor (the "Plan") in the Chapter 11 Bankruptcy of Tehum Care Services, Inc. d/b/a Corizon Health (the ("Debtor") (U.S. Bankruptcy Court for the Southern District of Texas Case 23-90086, hereinafter "SDTX Doc." at SDTX Doc. 2014). The Plan became effective on March 31, 2025. (See Doc. 2088).

The Bankruptcy Court approved all notice procedures, including publication notice, and held in the Confirmation Order "that notice of the Confirmation Hearing and the opportunity for any party in interest to object to Confirmation have been adequate and appropriate as to all parties affected or to be affected by the Plan and the transactions contemplated thereby." (SDTX Doc. 2014, p. 6).

The Holder of a Claim wishing to opt out of the Plan, including the Consensual Claimant Release, was required to do so prior to the Voting Deadline. (Plan, Art. III.D; See also Confirmation Order, dated Mar. 3, 2025, at p. 4, (a.) (identifying voting deadline)). The Voting Deadline passed on February 21, 2025, at 5:00 p.m. Central Time. Plaintiff did not opt out of the Plan. (See SDTX Doc. 1993, Exhibits A-5 and A-6).

Accordingly, Plaintiff is enjoined from pursuing his claims against a former employee of Corizon Health, Inc. and the above-entitled action must be stayed as long as the Channeling Injunction remains in effect. Further, as of the Final Payment Date, Plaintiff will be subject to a Consensual Claimant Release that releases any claim he may have against "each Released Party." Any Released Parties remaining in the case will move to dismiss this action with prejudice at that time. Please refer to the Plan for additional details.

To avoid unnecessary motion practice, we request that you agree to a joint stipulation staying your lawsuit for as long as the Channeling Injunction remains in effect. Defendant reserves his rights to take all necessary steps to protect his interests in the now effective Plan should Plaintiff seek to violate the Injunction barring interference with the Plan. We note that any Released Party may enforce its rights before the Bankruptcy Court, which expressly retained exclusive jurisdiction for such purposes and to decide any disputes related to the Plan.

Please let us know if you wish to discuss this matter.

Sincerely,

BOWMAN AND BROOKE LLP



By: _____

Adam M. Masin
Trevor W. Carolan

CC: Brian J. Richtarcik (brichtarcik@fbmjlaw.com)

AMM/TWC

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United States Courts
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United States Courts
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FIELD

JUL 07 2025

Nathan Ochshner, Clerk of Court

U.S. Bankruptcy Court
Southern District of Texas
Houston Division
515 Rusk Avenue
Houston, TX 77002