

IN THE UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF OKLAHOMA

FILED

MAR 26 2013

WILLIAM B. GUTHRIE
Clerk, U.S. District Court
By Deputy Clerk

LARRY DON WESLEY MAYNARD,
Petitioner,
v.
JERRY CHRISMAN,
Interim Warden,
Respondent.

No. CIV 13-027-RAW-KEW

OPINION AND ORDER
DENYING MOTION FOR APPOINTMENT OF COUNSEL

Petitioner has filed a motion requesting the court to appoint counsel. He bears the burden of convincing the court that his claim has sufficient merit to warrant appointment of counsel. McCarthy v. Weinberg, 753 F.2d 836, 838 (10th Cir. 1985) (citing United States v. Masters, 484 F.2d 1251, 1253 (10th Cir. 1973)).

The court has carefully reviewed the merits of petitioner's claim, the nature of factual issues raised in his allegations, and his ability to investigate crucial facts. McCarthy, 753 F.2d at 838 (citing Maclin v. Freake, 650 F.2d 885, 887-88 (7th Cir. 1981)).

ACCORDINGLY, petitioner's motion [Docket No. 5] is DENIED.

IT IS SO ORDERED this 26th day of March 2013.

Ronald A. White
RONALD A. WHITE
UNITED STATES DISTRICT JUDGE