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IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF ARIZONA

Carlos Paul Montoya,)	No. CIV 10-0193-PHX-RCB (DKD)
Plaintiff,)	
vs.)	ORDER
R. Dear, et al.,)	
Defendants.)	

This matter arises on Plaintiff’s Motion to Appoint Counsel (Doc. 25) (Second Request). Plaintiff requests that the court appoint counsel because he lacks legal training and because of the limited legal resources in the Department of Corrections. Plaintiff’s first request for the appointment of counsel was denied on March 25, 2010 (Doc. 9). Plaintiff has not yet demonstrated a likelihood of success on the merits, nor has he shown that he is experiencing difficulty in litigating this case because of the complexity of the issues involved. Moreover, Plaintiff’s numerous filings with the Court as well as the pending motion, indicate that Plaintiff is capable of presenting legal and factual arguments to the Court. After reviewing the file, the Court determines that this case does not present exceptional circumstances requiring the appointment of counsel.

Accordingly,

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IT IS HEREBY ORDERED that Plaintiff's Motion to Appoint Counsel (Doc. 25) is **DENIED** without prejudice.

DATED this 6th day of August, 2010.



David K. Duncan
United States Magistrate Judge