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6 IN THE UNITED STATES DISTRICT COURT  
7 FOR THE DISTRICT OF ARIZONA

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9 Lilly Washington,

10 Plaintiff,

11 v.

12 Fannie Mae, named as FNMA, et al.,

13 Defendants.

No. CV-12-01850-PHX-GMS

**ORDER**

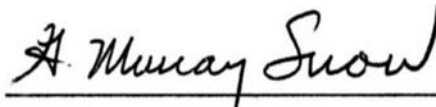
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15 Pending before the Court are Plaintiff's Motion for Someone to Represent Me at  
16 Settlement Conference (Doc. 36) and Motion to Ask for Help to Have One Attorney  
17 (Doc. 37). The Court will treat both motions as Motions to Appoint Counsel.

18 There is no constitutional right to appointed counsel in a civil case. *See Ivey v. Bd.*  
19 *of Regents of Univ. of Alaska*, 673 F.2d 266, 269 (9th Cir. 1982). The Court, however,  
20 does have the discretion to appoint counsel in "exceptional circumstances." *See* 28  
21 U.S.C. § 1915(e)(1); *Wilborn v. Escalderon*, 789 F.2d 1328, 1331 (9th Cir. 1986); *Aldabe*  
22 *v. Aldabe*, 616 F.2d 1089, 1093 (9th Cir. 1980). "A finding of exceptional circumstances  
23 requires an evaluation of both 'the likelihood of success on the merits and the ability of  
24 the petitioner to articulate his or her claim *pro se* in light of the complexity of the legal  
25 issues involved.'" *Wilborn*, 789 F.2d at 1331(quoting *Weygant v. Look*, 718 F.2d 952,  
26 954 (9th Cir. 1983)); *see Richards v. Harper*, 864 F.2d 85, 87 (9th Cir. 1988). "Neither  
27 of these factors is dispositive and both must be viewed together before reaching a  
28 decision on request of counsel" under section 1915(e)(1). *Wilborn*, 789 F.2d at 1331

1 Having considered both factors, the Court finds that Plaintiff has not demonstrated  
2 a likelihood of success on the merits or that any difficulty she is experiencing in  
3 attempting to litigate her case is due to the complexity of the issues involved. While  
4 Plaintiff has pointed to difficulties understanding that she is experiencing, such  
5 difficulties do not make her case exceptional. Accordingly, at the present time, this case  
6 does not present "exceptional circumstances" requiring the appointment of counsel.  
7 Accordingly,

8 **IT IS ORDERED** that both Motions to Appoint Counsel (Docs. 36, 37) are  
9 denied.

10 Dated this 8th day of August, 2013.

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13 G. Murray Snow  
14 United States District Judge  
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