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6 **IN THE UNITED STATES DISTRICT COURT**
7 **FOR THE DISTRICT OF ARIZONA**
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9 Joseph Gerald Eldridge,

10 Plaintiff,

11 v.

12 JD Schroeder,

13 Defendant.
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No. CV-14-01325-PHX-DGC

ORDER

15 Plaintiff Joseph Eldridge is currently confined at the Arizona State Prison
16 Complex-Lewis in Buckeye, Arizona. On June 13, 2014, he filed a pro se civil rights
17 complaint against Defendant JD Schroeder. The matter was referred to Magistrate Judge
18 Eileen Willett. Several months later, Eldridge filed a motion for court-appointed counsel.
19 Doc. 24. On April 23, the Magistrate Judge issued an order denying the motion.
20 Doc. 28. Eldridge has filed a timely appeal of the order. Doc. 30.

21 Courts may only disturb an order of a magistrate judge if the decision is “clearly
22 erroneous or contrary to law.” 28 U.S.C. § 636(b)(1)(A). “The reviewing court may not
23 simply substitute its judgment for that of the deciding court.” *Grimes v. City & Cnty. of*
24 *San Francisco*, 951 F.2d 236, 241 (9th Cir. 1991).

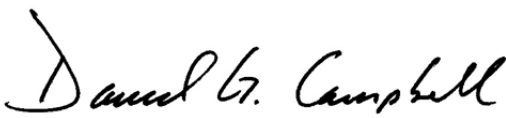
25 The Court finds no clear error. There is no constitutional right to appointment of
26 counsel in a civil case. *See Johnson v. U.S. Dep’t of Treasury*, 939 F.2d 820, 824 (9th
27 Cir. 1991). And as the Magistrate Judge noted, Eldridge failed to demonstrate
28 “exceptional circumstances” that would lead the Court to conclude otherwise. Doc. 28 at

1 2. Eldridge asserts he will face difficulty conducting depositions, requesting and
2 receiving documents, and that the new facility at which he is currently housed does not
3 have a law library. Doc. 30 at 1-2. But as the Magistrate Judge noted in her order,
4 Eldridge has successfully managed his case up to this point. Doc. 28 at 2. And he has
5 failed to demonstrate a likelihood of success on the merits or that he is experiencing
6 difficulty with complex issues in this case. He raises no such arguments now, and thus
7 the Court will affirm the decision of the Magistrate Judge.

8 **IT IS ORDERED** that Plaintiff's appeal of the Magistrate Judge's April 23, 2015
9 order is **denied**.

10 Dated this 29th day of June, 2015.

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David G. Campbell
United States District Judge