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6 **IN THE UNITED STATES DISTRICT COURT**
7 **FOR THE DISTRICT OF ARIZONA**
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9 Gina Jeannette Dumont,
10 Petitioner,

11 v.

12 Attorney General of the State of Arizona, et
13 al.,
14 Respondents.

No. CV-22-08192-PCT-JAT

ORDER

15 On August 6, 2024, the Magistrate Judge to whom this case was referred issued a
16 Report and Recommendation (R&R) recommending that Petitioner’s petition for writ of
17 habeas corpus be denied. (Doc. 49). Petitioner has filed a motion for extension of time to
18 file objections to the R&R and a motion to appoint counsel.

19 Generally, habeas petitioners are not entitled to appointed counsel. *Chaney v. Lewis*,
20 801 F.2d 1191, 1196 (9th Cir. 1986), *cert. denied*, 481 U.S. 1023 (1987); *Kreiling v. Field*,
21 431 F.2d 638, 640 (9th Cir. 1970) (per curiam); *Eskridge v. Rhay*, 345 F.2d 778, 782 (9th
22 Cir. 1965), *cert. denied*, 382 U.S. 996 (1966). The Court has discretion to appoint counsel
23 when a judge “determines that the interests of justice so require.” *Terrovona v. Kincheloe*,
24 912 F.2d 1176, 1181 (9th Cir. 1990), *cert. denied*, 499 U.S. 979 (1991) (quoting 18 U.S.C.
25 § 3006A(a)(2)(B)). “In deciding whether to appoint counsel in a habeas proceeding, the
26 district court must evaluate the likelihood of success on the merits as well as the ability of
27 the petitioner to articulate his claims *pro se* in light of the complexity of the legal issues
28 involved.” *Weygandt v. Look*, 718 F.2d 952, 954 (9th Cir. 1983).

1 Here, the R&R recommends that relief be denied. Thus, Petitioner has not shown a
2 likelihood of success on the merits. Further, Petitioner has articulated her claims pro se
3 without difficulty. Thus, the request for appointed counsel will be denied.

4 The Court will grant Petitioner an extension of time to file her objections. However,
5 Petitioner's claimed need for a "lengthy" objection because she has much to attend to
6 because she is no longer in custody is not availing. Petitioner will need to dedicate time to
7 this matter within the time limits set forth herein.

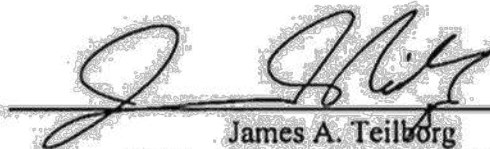
8 Based on the foregoing,

9 **IT IS ORDERED** that the motion for appointment of counsel (Doc. 50) is denied.

10 **IT IS FURTHER ORDERED** that Petitioner's motion for extension of time to file
11 objections (Doc. 51) is granted to the limited extent that Petitioner's objections to the R&R
12 are due by October 3, 2024.

13 Dated this 29th day of August, 2024.

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James A. Teilborg
Senior United States District Judge