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

BOBBY JAMES WILLIAMS,
Plaintiff,
vs.
RODERICK HICKMAN, et al.,
Defendants.

No. CV-1:05-01649-GMS

ORDER

Pending before the Court is Plaintiff’s Motion for the Appointment of Counsel (Dkt. # 45) and Motion for Ruling on Plaintiff’s Request for Entry of Default Against Defendant Bracken (Dkt. # 46). Plaintiff has twice previously filed motions to appoint counsel and twice those motions have been denied. (See Dkt. ## 11, 28). Plaintiff has not provided any additional reason sufficient to justify the appointment of counsel. Therefore the request is denied as it has been twice before.

As for Plaintiff’s motion for ruling on request for entry of default, Plaintiff’s Declaration entered in support of his request for entry of default (Dkt. # 36) he states “[t]he court files and record in this action show that Defendant Bracken was served by the United States Marshal with a copy of summons and a copy of the second amended complaint on May 14, 2009.” (Dkt. # 36 at p. 2). With all due respect, there is no such entry on the Court’s


1 docket, therefore nothing on the Court's docket establishes that the Plaintiff is entitled to the
2 entry of default as against Defendant Bracken. Therefore,

3 **IT IS HEREBY ORDERED** denying Plaintiff's Motion for Appointment of Counsel
4 (Dkt. # 45).

5 **IT IS FURTHER ORDERED** denying Plaintiff's (Motion) Request for Ruling on
6 Plaintiff's Request for Entry of Default Against Defendant Bracken (Dkt. # 46).

7 DATED this 26th day of August, 2009.

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G. Murray Snow
United States District Judge