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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

THEODORE O'DELL WILSON,)
)
Petitioner,)
)
v.)
)
JOHN MARSHALL, et al.,)
)
)
Respondents.)
_____)

1:06-cv-00141-AWI-TAG-HC
ORDER DENYING MOTION FOR
APPOINTMENT OF COUNSEL
(Doc. 3)

Petitioner has requested the appointment of counsel. (Doc. 3). There currently exists no absolute right to appointment of counsel in habeas proceedings. See e.g., Anderson v. Heinze, 258 F.2d 479, 481 (9th Cir.), cert. denied, 358 U.S. 889 (1958); Mitchell v. Wyrick, 727 F.2d 773 (8th Cir.), cert. denied, 469 U.S. 823 (1984). However, Title 18 U.S.C. § 3006A authorizes the appointment of counsel at any stage of the case "if the interests of justice so require." See Rule 8(c), Rules Governing Section 2254 Cases. Here, Petitioner contends that appointment of counsel is required because of the complexity of the issues in this case. (Doc. 3, p. 1). In the present case, the Court does not find that justice requires the appointment of counsel at the present time. Based on the foregoing, IT IS HEREBY ORDERED that Petitioner's request for appointment of counsel (Doc. 3), is DENIED.

IT IS SO ORDERED.

Dated: February 17, 2006
j6eb3d

/s/ Theresa A. Goldner
UNITED STATES MAGISTRATE JUDGE