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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

DAVID T. CHUBBUCK,)	1:06-cv-1810 OWW DLB P
)	
Plaintiff,)	ORDER DENYING PLAINTIFF'S
)	MOTION FOR RECONSIDERATION
v.)	OF APPOINTMENT OF COUNSEL
)	
HAYDEN, et al.,)	
)	
Defendants.)	
)	

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This matter comes before the Court on Plaintiff's Motion for the Court to Reconsider Appointing Counsel filed September 14, 2009. Plaintiff here presents no new facts, law, or identified clear error. The United States Supreme Court has ruled that district courts lack authority to require counsel to represent indigent prisoners in § 1983 cases. Mallard v. United States District Court for the Southern District of Iowa, 490 U.S. 296, 298, 109 S.Ct. 1814, 1816 (1989). The court may request the voluntary assistance of counsel pursuant to 28 U.S.C. § 1915(e)(1). Rand v. Rowland, 113 F.3d 1520, 1525 (9th Cir. 1997).

As stated in Magistrate Judge Dennis L. Beck's Order dated November 21, 2008, the Court has been unable to locate volunteer

1 counsel to assist Plaintiff in prosecuting this action. this
2 case is not extraordinary and does not present issues that
3 justify the appointment of counsel to a private litigant.
4 Plaintiff's Motion for Reconsideration re: Appointment of Counsel
5 is DENIED.

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8 IT IS SO ORDERED.

9 Dated: September 25, 2009

/s/ Oliver W. Wanger
UNITED STATES DISTRICT JUDGE

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