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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

ANTHONY MARCEL BEARD,)
)
Petitioner,)
)
v.)
)
SUPERIOR COURT OF FRESNO)
COUNTY)
Respondent.)
_____)

1:07-cv-00695-LJO-TAG-HC
ORDER DENYING REQUEST
FOR APPOINTMENT OF COUNSEL
(Doc. 3)

Petitioner has requested for the appointment of counsel. Petitioner contends that he cannot afford to retain counsel and that his petition contains “novel and complex issues of federal law) requiring the appointment of counsel. (Doc. 3, p. 1). 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.1958); Mitchell v. Wyrick, 727 F.2d 773 (8th Cir. 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. At the present time, the Court does not find that the interests of justice require the appointment of counsel.

Accordingly, IT IS HEREBY ORDERED that Petitioner’s request for appointment of counsel (Doc. 3), is DENIED.

IT IS SO ORDERED.

Dated: May 14, 2007

/s/ Theresa A. Goldner
UNITED STATES MAGISTRATE JUDGE