

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

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

CLEVER SIM, 1:07-cv-00724-AWI-WMW-HC  
Petitioner,  
vs. ORDER DENYING MOTION FOR  
APPOINTMENT OF COUNSEL  
ALBERTO R. GONZALES, et al., (DOCUMENT #4)  
Respondent.

Petitioner has requested the appointment of counsel. 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. In the present case, the court does not find that the interests of justice would be served by the appointment of counsel at the present time. Accordingly, IT IS HEREBY ORDERED thatPpetitioner's request for appointment of counsel is denied.  
IT IS SO ORDERED.

**Dated:** May 22, 2007 /s/ William M. Wunderlich  
UNITED STATES MAGISTRATE JUDGE