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**UNITED STATES DISTRICT COURT**

EASTERN DISTRICT OF CALIFORNIA

DAVID CHARLES THATCHER,

CV F 07-00725 AWI DLB HC

Petitioner,

ORDER GRANTING PETITIONER IN  
FORMA PAUPERIS STATUS AND DENYING  
MOTION FOR APPOINTMENT OF COUNSEL

v.

[Doc. 2]

UNKNOWN,

Respondent.

\_\_\_\_\_  
Petitioner is a state prisoner proceeding pro se with a petition for writ of habeas corpus pursuant to 28 U.S.C. § 2254. Pursuant to 28 U.S.C. § 1915, petitioner is hereby AUTHORIZED to proceed *in forma pauperis*.

There currently exists no absolute right to appointment of counsel in habeas proceedings. See e.g., Anderson v. Heinze, 258 F.2d 479, 481 (9<sup>th</sup> Cir.), cert. denied, 358 U.S. 889 (1958); Mitchell v. Wyrick, 727 F.2d 773 (8<sup>th</sup> 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, petitioner’s request for appointment of counsel is DENIED.

IT IS SO ORDERED.

**Dated: May 24, 2007**

**/s/ Dennis L. Beck**  
UNITED STATES MAGISTRATE JUDGE