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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

RAMON NAVARRO LUPERCIO,

1:08-cv-00012-LJO-JLT (HC)

Petitioner,

ORDER DENYING MOTION FOR
APPOINTMENT OF COUNSEL

vs.

SYLVIA GONZALEZ,

(Doc. 26)

Respondent.

_____ /

Petitioner has requested the appointment of counsel, contending simply that he cannot afford to hire an attorney. (Doc. 26). 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 require the appointment of counsel at the present time. Accordingly, IT IS HEREBY ORDERED that petitioner's request for appointment of counsel (Doc. 26), is DENIED.

IT IS SO ORDERED.

Dated: May 26, 2010

/s/ Jennifer L. Thurston
UNITED STATES MAGISTRATE JUDGE