



1 In the present case, the court does not find the required exceptional circumstances. Even if  
2 it is assumed that plaintiff is not well versed in the law and that he has made serious allegations  
3 which, if proved, would entitle him to relief, his case is not exceptional. This court is faced with  
4 similar cases almost daily. Further, at this early stage in the proceedings, the court cannot make a  
5 determination that plaintiff is likely to succeed on the merits, and based on a review of the record  
6 in this case, the court does not find that plaintiff cannot adequately articulate his claims. Id.

7 For the foregoing reasons, plaintiff's motion for the appointment of counsel is HEREBY  
8 DENIED, without prejudice.

9  
10  
11 IT IS SO ORDERED.

12 **Dated: September 25, 2009**

/s/ Gary S. Austin  
UNITED STATES MAGISTRATE JUDGE