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

Alvaro Quezada,)	No. CV 1-08-1404-FRZ
Plaintiff,)	ORDER
vs.)	
A. Hedgpeth, et al.,)	
Defendants.)	

Reflected as pending in this matter are 19 motions filed by Plaintiff and Defendants' Motion for Summary Judgment.

Nine of the 19 motions filed by Plaintiff are discovery motions to either compel evidence or request information in preparation for trial. In light of the pending motion for summary judgment, to which Plaintiff has filed a response in opposition, these motions will be denied at this time. The Court finds no basis upon which to grant Plaintiff's motions to compel.

Three motions request extensions of time to oppose the Defendants' motion for summary judgment, which will also be denied as moot in light of Plaintiff having filed his response in opposition.

Also pending are renewed motions for appointment of counsel.

In regard to Plaintiff's renewed motions for appointment of counsel, the Court again finds that Plaintiff is able to articulate his claims on the issues presented and his assertions

1 fail to establish the existence of the requisite exceptional circumstances for appointment of
2 counsel. Again, this is evidenced by the numerous filings in this case and Plaintiff's
3 experience from the other actions he has filed. As the Court previously explained, counsel
4 will only be appointed in a civil rights action in which there exists "exceptional
5 circumstances." *Agyeman v. Corrections Corp. of America*, 390 F.3d 1101, 1103 (9 Cir. th
6 2004); *Terrell v. Brewer*, 935 F.3d 1015, 1017 (9 Cir. 1991); *Wilborn v. Escalderon*, th 789
7 F.2d 1328, 1331 (9th Cir. 1986). "A finding of the exceptional circumstances of the plaintiff
8 seeking assistance requires at least an evaluation of the likelihood of the plaintiff's success
9 on the merits and an evaluation of the plaintiff's ability to articulate his claims 'in light of
10 the complexity of the legal issues involved.'" *Agyeman*, 390 F.3d at 1103 (*citing Wilborn*,
11 789 F.2d at 1331 (*quoting Weygandt v. Look*, 718 F.2d 952, 954 (9th Cir. 1983))). Absent
12 these requisite exceptional circumstances, Plaintiff's motions for appointment of counsel
13 shall be denied.

14 Based on the foregoing,

15 IT IS ORDERED that Plaintiff's Motions to Compel and miscellaneous discovery
16 motions and requests (Docs. 52, 53, 54, 55, 56, 57, 59, 64 and 66) are DENIED in
17 accordance with this Order;

18 IT IS FURTHER ORDERED that Plaintiff's Motions for Appointment of Counsel
19 (Docs. 58, 63) are DENIED;

20 IT IS FURTHER ORDERED, in light of this ruling, that Plaintiff's request for ruling
21 (Doc. 65) is DENIED as moot;

22 IT IS FURTHER ORDERED, based on Plaintiff having filed a response in opposition
23 to the Defendants' Motion for Summary Judgment, that Plaintiff's requests for extensions
24 (Docs. 70, 73 and 74) are DENIED as moot;

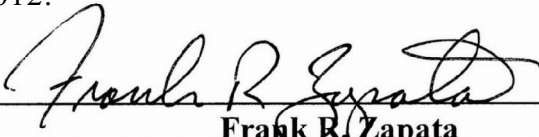
25 IT IS FURTHER ORDERED that the Motions in Limine (Docs. 71 and 72) are
26 DENIED as premature, with leave to renew pursuant to Court Order;

27 IT IS FURTHER ORDERED that Plaintiff's unopposed request to exceed page
28 limitations (Doc. 75) is GRANTED;

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IT IS FURTHER ORDERED that Plaintiff's request, treated as a motion to supplement the response in opposition (Doc. 81) is GRANTED.

DATED this 30th day of March, 2012.



Frank R. Zapata
Senior United States District Judge