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**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA**

MICHAEL ANDRE TODD,)	Case No.: 1:08-cv-01504-SAB (PC)
Plaintiff,)	ORDER DENYING PLAINTIFF’S MOTION FOR
v.)	APPOINTMENT OF COUNSEL
ANTHONY L. HEDGPETH, et al.,)	[ECF No. 112]
Defendants.)	
)	
)	

Plaintiff Michael Andre Todd is appearing pro se and in forma pauperis in this civil rights action pursuant to 42 U.S.C. § 1983.

Now pending before the Court is Plaintiff’s motion for appointment of counsel, filed March 21, 2014. Plaintiff requests counsel based on his lack of income, limited access to the law library, limited training in the law and education, and because the issues are complex. Plaintiff’s motion for appointment of counsel must be denied.

The record in this case demonstrates sufficient writing ability and legal knowledge to articulate the claims and proceed with this action. The mere fact that Plaintiff is proceeding to trial pro se is not a basis to appoint counsel. After considering Plaintiff’s incarceration, limited education, and lack of legal training, as referenced in his motion, the Court does not find that exceptional circumstances exist for appointment of counsel in this case. Plaintiff is proceeding to trial on a claim of deliberate indifference to a serious medical need against Defendants Lopez and Hedgpeth, and Plaintiff has

1 failed to demonstrate exceptional circumstances to warrant appointment of counsel in this instance as
2 Plaintiff's situation is similar to that of other incarcerated pro se plaintiffs. Accordingly, Plaintiff's
3 motion for appointment of counsel is DENIED.

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IT IS SO ORDERED.

Dated: March 27, 2014


UNITED STATES MAGISTRATE JUDGE