



1 circumstances claimed to exist which did not exist or were not shown upon such prior  
2 motion, or what other grounds exist for the motion.” The court reviews a motion to  
3 reconsider a Magistrate Judge’s ruling under the “clearly erroneous or contrary to law”  
4 standard set forth in 28 U.S.C. § 636(b)(1)(A); Fed. R. Civ. P. 72(a). As such, the court may  
5 only set aside those portions of the Magistrate Judge’s order that are either clearly erroneous  
6 or contrary to law. Fed.R.Civ.P. 72(a).

### 7 **DISCUSSION**

8 As the Magistrate Judge’s order noted, there is no constitutional requirement for  
9 attorney representation of prison inmates in civil cases brought by the inmates. Rand v.  
10 Rowland, 113 F.3d 1520, 1525 (9th Cir. 1997). Consequentially, there is no means at the  
11 court’s disposal to pay for legal representation nor can the court require unpaid legal  
12 representation by an attorney. The only means by which legal representation can be obtained  
13 at no cost to the inmate is for the court to request voluntary assistance of counsel pursuant to  
14 28 U.S.C. § 1915(e)(1); something a district court should do only in the most unusual of  
15 circumstances. Rand, 113 F.3d at 1525.

16 The court agrees with the Magistrate Judge’s determination that the facts of Plaintiff’s  
17 case, notwithstanding the seriousness of its allegations, are not out of the realm of factual  
18 allegations the court encounters in prisoner civil rights cases routinely. In his motion for  
19 reconsideration Plaintiff highlights his unfamiliarity with the law, the difficulties of access  
20 presented by incarceration, the nature of the acts alleged and the fact Plaintiff is afflicted with  
21 carpal tunnel syndrome. The court finds the Magistrate Judge’s order addressed each of  
22 Plaintiff’s contentions and correctly pointed out that none of the problems noted by Plaintiff,  
23 except for his carpal tunnel syndrome, are out of the ordinary in any way. The court also  
24 agrees with the Magistrate Judge’s determination that Plaintiff’s problems with carpal tunnel  
25 can be and are being adequately addressed by liberal granting of extensions of time for  
26 Plaintiff to file documents with the court.

27 The court finds that the decision of the Magistrate Judge to deny Plaintiff’s request  
28 for appointment of counsel is neither clearly erroneous or contrary to law. Reconsideration of

1 the Magistrate Judge's order is therefore not warranted.

2  
3 THEREFORE, for the reasons discussed, Plaintiff's request for reconsideration of the  
4 Magistrate Judge's denial of Plaintiff's request for appointment of counsel is hereby  
5 DENIED.

6  
7 IT IS SO ORDERED.

8  
9 Dated: October 8, 2010

  
CHIEF UNITED STATES DISTRICT JUDGE