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6 **UNITED STATES DISTRICT COURT**

7 EASTERN DISTRICT OF CALIFORNIA

8 GLORIA PALACIOS,

) 1:09cv0586 OWW DLB

9
10 Plaintiff,

) ORDER DENYING MOTION FOR COUNSEL
(Document 11)

11 v.

12 FRESNO COUNTY SUPERIOR COURT,
13 et al.,

14
15 Defendants.
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17 Plaintiff Gloria Palacios ("Plaintiff"), appearing pro se, filed the instant civil rights action
18 on April 1, 2009. Pursuant to the scheduling conference held on August 28, 2009, Plaintiff's
19 amended complaint is due on or before September 30, 2009.

20 On August 14, 2009, Plaintiff filed a motion in which she requests that the Court appoint
21 her counsel to assist her in the prosecution of her action. She appears to request counsel as an
22 accommodation under the Americans with Disabilities Act ("ADA") and argues that she is
23 medically disabled to represent herself.

24 While the Court can, in extraordinary circumstances, appoint counsel to a plaintiff
25 proceeding pro se and in forma pauperis, there is no parallel procedure where a plaintiff has paid
26 the filing fee. There is no there is no constitutional right to counsel in a civil case. [Lassiter v.](#)
27 [Dep't of Social Services, 452 U.S. 18, 25 \(1981\)](#). In any event, Plaintiff requests counsel based
28 on her alleged disability, but the Court notes that her writing is clear and she does not appear to

1 have any communication issues. Additionally, Plaintiff has indicated that she is on helpful
2 medication and believes that her condition will improve shortly. Plaintiff is assured that the
3 Court is well-versed in handling pro se plaintiffs and working within the realm of their abilities.

4 Insofar as Plaintiff believes that she is entitled to counsel under the ADA as an
5 accommodation to her access to this Court, she is mistaken. There is no right to counsel as an
6 accommodation under the ADA. Moreover, Plaintiff has access to this Court and given the
7 amount of experience this Court has with pro se plaintiffs, her access is meaningful.

8 Accordingly, Plaintiff's request is DENIED.

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10 IT IS SO ORDERED.

11 **Dated: September 8, 2009**

/s/ Dennis L. Beck
UNITED STATES MAGISTRATE JUDGE