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8 UNITED STATES DISTRICT COURT
9 EASTERN DISTRICT OF CALIFORNIA
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11 CARLETHA A. STEWART,

1:09-cv-00965-MJS (HC)

12 Petitioner,

ORDER DENYING MOTION FOR
APPOINTMENT OF COUNSEL

13 vs.

14 M. LATTIMORE, Warden, et al.,

[Doc. 14]

15 Respondent.
16 _____ /

17 Petitioner has requested the appointment of counsel. There currently exists no
18 absolute right to appointment of counsel in habeas proceedings. See e.g., Anderson v.
19 Heinze, 258 F.2d 479, 481 (9th Cir. 1958); Mitchell v. Wyrick, 727 F.2d 773 (8th Cir.
20 1984). However, Title 18 U.S.C. § 3006A authorizes the appointment of counsel at any
21 stage of the case "if the interests of justice so require." See Rule 8(c), Rules Governing
22 Section 2254 Cases. In the present case, the court does not find that the interests of
23 justice would be served by the appointment of counsel at the present time. Accordingly,
24 IT IS HEREBY ORDERED that Petitioner's request for appointment of counsel is denied.

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26 IT IS SO ORDERED.

27 Dated: June 24, 2010

/s/ Michael J. Seng
UNITED STATES MAGISTRATE JUDGE