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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,

13 vs.

14 M. LATTIMORE, Warden, et al.,

15 Respondent. [Doc. 14]

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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.

25  
26 IT IS SO ORDERED.

27 Dated: June 24, 2010

28 */s/ Michael J. Seng*  
UNITED STATES MAGISTRATE JUDGE