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UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF CALIFORNIA

11 ERNESTO B. RODRIGUEZ, 1:09-cv-01376-JLT (HC)  
12 Petitioner,  
13 vs. ORDER DENYING MOTION FOR  
14 JAMES WALKER, APPOINTMENT OF COUNSEL  
Respondent. (Doc. 8)

16 Petitioner has requested the appointment of counsel, contending that he is not versed in  
17 the law, is unable to afford privately retained counsel and that the complexity of the issues require  
18 appointment of counsel. (Doc. 8). There currently exists no absolute right to appointment of  
19 counsel in habeas proceedings. See e.g., Anderson v. Heinze, 258 F.2d 479, 481 (9th Cir.), cert.  
20 denied, 358 U.S. 889 (1958); Mitchell v. Wyrick, 727 F.2d 773 (8th Cir.), cert. denied, 469 U.S.  
21 823 (1984). However, Title 18 U.S.C. § 3006A authorizes the appointment of counsel at any stage  
22 of the case "if the interests of justice so require." See Rule 8(c), Rules Governing Section 2254  
23 Cases. In the present case, the Court does not find that the interests of justice require the  
24 appointment of counsel at the present time. Accordingly, IT IS HEREBY ORDERED that

26 IT IS SO ORDERED

27 || Dated: May 3, 2010

/s/ Jennifer L. Thurston  
UNITED STATES MAGISTRATE JUDGE