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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

MANUEL DE JESUS IBANEZ,

1:10-cv-00537-JLT (HC)

Petitioner,

ORDER DENYING MOTION FOR
APPOINTMENT OF COUNSEL

vs.

PEOPLE OF THE STATE OF CALIFORNIA,

(Doc. 3)

Respondent.

_____ /

Petitioner has requested the appointment of counsel on the grounds that his knowledge of the law is limited, that access to the prison law library is curtailed, and that the complexity of the case requires legal counsel. (Doc. 3). There currently exists no absolute right to appointment of counsel in habeas proceedings. See e.g., Anderson v. Heinze, 258 F.2d 479, 481 (9th Cir.), cert. denied, 358 U.S. 889 (1958); Mitchell v. Wyrick, 727 F.2d 773 (8th Cir.), cert. denied, 469 U.S. 823 (1984). However, Title 18 U.S.C. § 3006A authorizes the appointment of counsel at any stage of the case "if the interests of justice so require." See Rule 8(c), Rules Governing Section 2254 Cases. In the present case, the Court does not find that the interests of justice require the appointment of counsel at the present time. The bases on which Petitioner makes his request are similar to those made by virtually all habeas petitioners and, hence, allege nothing extraordinary regarding Petitioner's status that would differentiate him from other petitions already denied appointed counsel in this Court.

1 Accordingly, IT IS HEREBY ORDERED that Petitioner's request for appointment of
2 counsel (Doc. 3), is denied.

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4 IT IS SO ORDERED.

5 Dated: March 31, 2010

/s/ Jennifer L. Thurston
UNITED STATES MAGISTRATE JUDGE

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