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IN THE UNITED STATES DISTRICT COURT FOR THE
EASTERN DISTRICT OF CALIFORNIA

STEVIE STEVENSON,

1:10-cv-01401-AWI-DLB (PC)

Plaintiff,

ORDER DENYING MOTION FOR
APPOINTMENT OF COUNSEL

v.

B. KELLUMS, et al.,

(DOCUMENT # 24)

Defendants.

_____ /

On February 3, 2012, plaintiff filed a motion seeking the appointment of counsel pursuant to 28 U.S.C. § 1915(e)(1). Plaintiff does not have a constitutional right to appointed counsel in this action, *Rand v. Rowland*, 113 F.3d 1520, 1525 (9th Cir. 1997), and the Court cannot require an attorney to represent Plaintiff pursuant to 28 U.S.C. § 1915(e)(1). *Mallard v. United States District Court for the Southern District of Iowa*, 490 U.S. 296, 298 (1989). However, in certain exceptional circumstances the court may request the voluntary assistance of counsel pursuant to 28 U.S.C. § 1915(e)(1). *Rand*, 113 F.3d at 1525.

Plaintiff is not proceeding in forma pauperis in this action. The filing fee was paid in full when this action was brought before the Court. Thus, § 1915(e)(1) is inapplicable. Accordingly, it is HEREBY ORDERED that Plaintiff’s motion for appointment of counsel pursuant to 28 U.S.C. § 1915(e)(1) is denied.

IT IS SO ORDERED.

Dated: March 27, 2012

/s/ Dennis L. Beck
UNITED STATES MAGISTRATE JUDGE