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8 IN THE UNITED STATES DISTRICT COURT FOR THE  
9 EASTERN DISTRICT OF CALIFORNIA  
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11 GARRISON S. JOHNSON,

1:10-cv-01918-LJO-DLB (PC)

12 Plaintiff,

13 v.

ORDER DENYING MOTION FOR  
APPOINTMENT OF COUNSEL

14 MATTHEW CATE, et al.,

(Document #27)

15 Defendants.  
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17 On February 10, 2012, plaintiff filed a motion seeking the appointment of counsel  
18 pursuant to 28 U.S.C. § 1915(e)(1). Pursuant to § 1915(e)(1), “[t]he court may request an  
19 attorney to represent any person unable to afford counsel.” This section applies to persons  
20 proceeding in forma pauperis. *See Mallard v. United States Dist. Court for Southern Dist.*, 490  
21 U.S. 296, 298 (1989). Plaintiff is not proceeding in forma pauperis in this action, having paid the  
22 filing fee in full. Thus, the Court lacks statutory authority to appoint counsel to represent  
23 Plaintiff.

24 For the foregoing reasons, plaintiff’s motion for the appointment of counsel is HEREBY  
25 DENIED.

26 IT IS SO ORDERED.

27 **Dated: March 16, 2012**

**/s/ Dennis L. Beck**  
UNITED STATES MAGISTRATE JUDGE