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8 UNITED STATES DISTRICT COURT  
9 EASTERN DISTRICT OF CALIFORNIA  
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11 RICHARD JOSE DUPREE,

1:10-cv-1961-MJS (HC)

12 Petitioner,

ORDER DENYING MOTION FOR  
APPOINTMENT OF COUNSEL

13 vs.

14 FEDERAL BUREAU OF  
INVESTIGATIONS,

(Doc. 5)

15 Respondent.  
16  
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18 Petitioner has requested the appointment of counsel. There currently exists no  
19 absolute right to appointment of counsel in habeas proceedings. See, e.g., Anderson v.  
20 Heinze, 258 F.2d 479, 481 (9th Cir. 1958); Mitchell v. Wyrick, 727 F.2d 773, 774 (8th Cir.  
21 1984). However, Title 18 U.S.C. § 3006A(a)(2)(B) authorizes the appointment of counsel  
22 at any stage of the case if "the interests of justice so require." See Rule 8(c), Rules  
23 Governing Section 2254 Cases.

24 In the present case, the Court does not find that the interests of justice require  
25 the appointment of counsel at the present time. Accordingly, IT IS HEREBY ORDERED  
26 that Petitioner's request for appointment of counsel is denied.

27 IT IS SO ORDERED.

28 Dated: November 8, 2010

/s/ Michael J. Seng

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UNITED STATES MAGISTRATE JUDGE