

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

11 | ANTHONY B. TILLMAN, 1:10-cv-02091-OWW-SMS (HC)

12 | Petitioner,

ORDER DENYING MOTION FOR
APPOINTMENT OF COUNSEL

14 || BOARD OF PRISON TERMS,

(DOCUMENT #17)

15 Respondent.

17 Petitioner has requested the appointment of counsel. There currently exists no
18 absolute right to appointment of counsel in habeas proceedings. See, e.g., Anderson v. Heinze,
19 258 F.2d 479, 481 (9th Cir. 1958); Mitchell v. Wyrick, 727 F.2d 773, 774 (8th Cir. 1984).
20 However, Title 18 U.S.C. § 3006A(a)(2)(B) authorizes the appointment of counsel at any stage
21 of the case if "the interests of justice so require." See Rule 8(c), Rules Governing Section 2254
22 Cases. In the present case, the Court does not find that the interests of justice require the
23 appointment of counsel at the present time. Accordingly, IT IS HEREBY ORDERED that
24 Petitioner's request for appointment of counsel is denied.

25 IT IS SO ORDERED.

26 || Dated: February 9, 2011

/s/ Sandra M. Snyder
UNITED STATES MAGISTRATE JUDGE