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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

DENELL CAVER,

Plaintiff,

v.

E. GOMEZ, et al.,

Defendants.

Case No. 1:11-cv-01025-AWI-SKO (PC)

ORDER GRANTING MOTION AND
REFERRING CASE TO PRO BONO
PROGRAM FOR APPOINTMENT OF
COUNSEL TO REPRESENT PLAINTIFF OR
STAND-BY COUNSEL TO ASSIST
PLAINTIFF DURING TRIAL

(Doc. 104)

Plaintiff Denell Caver, a state prisoner proceeding pro se and in forma pauperis, filed this civil rights action pursuant to 42 U.S.C. § 1983 on June 20, 2011. This action is proceeding on Plaintiff's second amended complaint, filed on April 10, 2012, against Defendants Gomez, Stark, and Garcia for acting with deliberate indifference to Plaintiff's safety, in violation of the Eighth Amendment of the United States Constitution. Jury trial is scheduled for February 9, 2016.

On October 30, 2015, Plaintiff filed a motion seeking the appointment of counsel. Based on Plaintiff's representations regarding his mental health status and his reliance on jailhouse lawyers to prepare his filings for him, the Court will grant his motion and attempt to locate counsel willing to voluntarily assist Plaintiff. 28 U.S.C. § 1915(e)(1); *Palmer v. Valdez*, 560 F.3d 965, 970 (9th Cir. 2009); *Wilborn v. Escalderon*, 789 F.2d 1328, 1331 (9th Cir. 1986); *Storseth v. Spellman*, 654 F.2d 1349, 1353 (9th Cir. 1981).

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Accordingly, pursuant to section 1915(e)(1) and General Order 230, Plaintiff's motion is GRANTED and this case is ORDERED REFERRED to the Eastern District's Pro Bono Program to seek either voluntary counsel to represent Plaintiff or stand-by counsel to assist Plaintiff during trial.

IT IS SO ORDERED.

Dated: December 3, 2015



SENIOR DISTRICT JUDGE