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8 UNITED STATES DISTRICT COURT
9 EASTERN DISTRICT OF CALIFORNIA
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11 DAVID J. VALENCIA, JR.,

1:11-cv-01066 SKO (HC)

12 Petitioner,

13 vs.

ORDER DENYING MOTION FOR
APPOINTMENT OF COUNSEL

14 DIRECTOR OF CORRECTIONS AND
15 REHABILITATION,

(DOCUMENT #2)

16 Respondent.
17 _____ /

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. Heinze,
20 258 F.2d 479, 481 (9th Cir. 1958); Mitchell v. Wyrick, 727 F.2d 773, 774 (8th Cir. 1984).
21 However, 18 U.S.C. § 3006A(a)(2)(B) authorizes the appointment of counsel at any stage of
22 the case if "the interests of justice so require." See Rule 8(c), Rules Governing Section 2254
23 Cases. In the present case, the Court does not find that the interests of justice require the
24 appointment of counsel at the present time. Accordingly, IT IS HEREBY ORDERED that
25 Petitioner's request for appointment of counsel is denied.
26 IT IS SO ORDERED.

27 **Dated: June 29, 2011**

/s/ Sheila K. Oberto
UNITED STATES MAGISTRATE JUDGE