UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF CALIFORNIA

STEVEN WILHELM, Plaintiff, v. JEANNIE WOODFORD, et al., Defendants.	Case No.: 1:12-cv-00386-AWI-SAB (PC) ORDER DENYING PETITIONER'S MOTION FOR APPOINTMENT OF COUNSEL WITHOUT PREJUDICE [ECF No. 18]

Plaintiff Steve Wilhelm is appearing pro se and in forma pauperis in this civil rights action pursuant to 42 U.S.C. § 1983.

Now pending before the Court is Plaintiff's motion for appointment of counsel filed on September 24, 2013.

On September 10, 2013, the Court dismissed Plaintiff's complaint, with leave to amend, for failure to state a claim. Plaintiff was granted thirty days from the date of service of that order to file an amended complaint.

On September 24, Plaintiff filed a notice of appeal of the Court's September 10, 2013, screening order.

Plaintiff's motion for appointment of counsel is directed to the United States Court of Appeal for the Ninth Circuit. Because Plaintiff has filed a notice of appeal and is apparently seeking counsel

to assist with his appeal, the instant motion is DENIED, to re-filing the motion in the Court of Appeals.

IT IS SO ORDERED.

Dated: **September 26, 2013**

UNITED STATES MAGISTRATE JUDGE