

1 Without a reasonable method of securing and compensating counsel, the Court will seek
2 volunteer counsel only in the most serious and exceptional cases. In determining whether
3 “exceptional circumstances exist, the district court must evaluate both the likelihood of success on the
4 merits [and] the ability of the [plaintiff] to articulate his claims pro se in light of the complexity of the
5 legal issues involved.” *Id.* (internal quotation marks and citations omitted).

6 In the present case, the Court does not find the required exceptional circumstances. On
7 February 5, 2021, the undersigned issued Findings and Recommendations recommending judgment be
8 entered in favor of Defendants. (ECF No. 280.) Accordingly, Plaintiff has not and cannot
9 demonstrate that he is likely to proceed on the merits of the case, and based on a review of the record
10 in this case, Plaintiff can adequately articulate his claims to enable him to file objections to the
11 Findings and Recommendations. Accordingly, Plaintiff’s motion for appointment of counsel must be
12 denied. However, on the basis of good cause, the Court will grant Plaintiff’s motion for extension of
13 time to file objections to the pending Findings and Recommendations.

14 Accordingly, it is HEREBY ORDERED that:

- 15 1. Plaintiff’s motion for appointment of counsel is denied; and
- 16 2. Plaintiff is granted thirty (30) days from the date of service of this order to file
17 objections.

18
19 IT IS SO ORDERED.

20 Dated: July 12, 2021



21 UNITED STATES MAGISTRATE JUDGE