



1 volunteer counsel only in the most serious and exceptional cases. In determining whether  
2 “exceptional circumstances exist, the district court must evaluate both the likelihood of success on  
3 the merits [and] the ability of the [plaintiff] to articulate his claims pro se in light of the  
4 complexity of the legal issues involved.” Id. (internal quotation marks and citations omitted).

5 In the present case, the court does not find the required exceptional circumstances. Even  
6 if it is assumed that plaintiff is not well versed in the law and that he has made serious allegations  
7 which, if proved, would entitle him to relief, his case is not exceptional. This court is faced with  
8 similar cases almost daily. Further, at this stage in the proceedings, the court cannot make a  
9 determination that plaintiff is likely to succeed on the merits, and based on a review of the record  
10 in this case, the court does not find that plaintiff cannot adequately articulate his claims. Id.

11 For the foregoing reasons, plaintiff’s motion for the appointment of counsel is HEREBY  
12 DENIED, without prejudice.

13 **II. Motion for Extension of Time**

14 On September 25, 2014, a motion for extension of time was filed in this case. However,  
15 the motion was erroneously filed since it pertains to another plaintiff in another case. Therefore,  
16 the motion will be STRICKEN.

17 **ORDER**

18 Accordingly, IT IS HEREBY ORDERED:

19 1) Plaintiff’s motion for appointment of counsel [ECF No. 33] is DENIED, without  
20 prejudice; and

21 2) The motion for extension of time [ECF No. 34] is STRICKEN.

22 IT IS SO ORDERED.

23  
24 Dated: February 2, 2015

/s/ Dennis L. Beck  
25 UNITED STATES MAGISTRATE JUDGE