

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA**

PAUL KIET PHAM,
Petitioner,
v.
JERRY POWERS,
Respondent.)
Case No.:1:13-cv-00656-SAB (HC)
ORDER DENYING MOTION FOR
APPOINTMENT OF COUNSEL
[ECF No. 9])

Petitioner is proceeding pro se with a petition for writ of habeas corpus pursuant to 28 U.S.C. § 2254.

On July 22, 2013, Petitioner filed a motion for the appointment of counsel.

There currently exists no absolute right to appointment of counsel in habeas corpus proceedings. See, e.g., Anderson v. Heinze, 258 F.2d 479, 481 (9th Cir. 1958); Mitchell v. Wyrick, 727 F.2d 773, 774 (8th Cir. 1984). However, 18 U.S.C. § 3006A(a)(2)(B) authorizes the appointment of counsel at any stage of the case if “the interests of justice so require.” See Rule 8(c), Rules Governing Section 2254 cases. In the present case and at the present time, the Court does not find the interests of justice require the appointment of counsel. Accordingly,

IT IS HEREBY ORDERED that Petitioner's motion for appointment of counsel is DENIED.

IT IS SO ORDERED.

Dated: **July 23, 2013**

Henry A. Bae
UNITED STATES MAGISTRATE JUDGE