

1 In the present case, the court does not find the required exceptional circumstances. At this
2 early stage in the proceedings, the court cannot make a determination that Plaintiff is likely to
3 succeed on the merits. On July 17, 2015, Plaintiff filed a motion to file a third amended
4 complaint, which is pending. Thus, there is no complaint on record in this case for which the
5 Court has found cognizable claims, and no other parties have yet appeared. Moreover, based on a
6 review of the record in this case, the court does not find that Plaintiff cannot adequately articulate
7 his medical claims. Therefore, Plaintiff's motion shall be denied, without prejudice to renewal of
8 the motion at a later stage of the proceedings.

9 For the foregoing reasons, Plaintiff's motion for the appointment of counsel is HEREBY
10 DENIED, without prejudice.

11 IT IS SO ORDERED.

12 Dated: July 23, 2015

/s/ Gary S. Austin
13 UNITED STATES MAGISTRATE JUDGE