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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

ANDREW MANCILLA,

Petitioner,

v.

W.L. MUNIZ,

Respondent.

Case No. 1:14-cv-00935-GSA-HC

ORDER DENYING MOTION FOR
APPOINTMENT OF COUNSEL

(ECF No. 13)

Petitioner is a state prisoner proceeding pro se with a petition for writ of habeas corpus pursuant to 28 U.S.C. § 2254. He has consented to the jurisdiction of the Magistrate Judge pursuant to 28 U.S.C. § 636(c). On September 24, 2014, this Court denied Petitioner’s first motion for appointment of counsel. On October 14, 2014, Petitioner filed a response to the Court’s order to show cause, and requested the appointment of counsel, which the Court will treat as Petitioner’s second motion for appointment of counsel.

There currently exists no absolute right to appointment of counsel in habeas 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, Title 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, the Court does not find that the interests of justice require the appointment of counsel at the present time.

