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2 UNITED STATES DISTRICT COURT  
3 EASTERN DISTRICT OF CALIFORNIA  
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5 MARCUS LAMAR JOHNSON,  
6 Petitioner,

7 v.

8 PAUL COPENHAVER,  
9 Respondent.

CASE NO. 1:14-cv-01672-LJO-BAM HC

ORDER DENYING PETITIONER'S MOTION  
FOR APPOINTMENT OF COUNSEL

(Doc. 23)

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12 Petitioner, proceeding pro se with a petition for writ of habeas corpus pursuant to 28 U.S.C. §  
13 2241, again moves for appointment of counsel. In habeas proceedings, no absolute right to appointment  
14 of counsel currently exists. *See, e.g., Anderson v. Heinze*, 258 F.2d 479, 481 (9<sup>th</sup> Cir. 1958); *Mitchell v.*  
15 *Wyrick*, 727 F.2d 773, 774 (8<sup>th</sup> Cir. 1984). Nonetheless, a court may appoint counsel at any stage of the  
16 case "if the interests of justice so require." 18 U.S.C. § 3006A(a)(2)(B); Rule 8(c), Rules Governing  
17 Section 2254 Cases.

18 The Court finds that the petition, the response, and the reply have all been filed in this case. As a  
19 result, no purpose will be served by appointing counsel in this case. The Court acknowledges Petitioner's  
20 impatience in waiting for resolution of his petition. Many petitioners await resolution of their petitions;  
21 the Court addresses each petition before it in due course.

22 Accordingly, the Court hereby DENIES Petitioner's motion for appointment of counsel.

23 IT IS SO ORDERED.  
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25 Dated: September 14, 2015

/s/ Barbara A. McAuliffe  
26 UNITED STATES MAGISTRATE JUDGE  
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