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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

STEVEN HAIRL WILHELM,
Petitioner,
v.
RON DAVIS,
Respondent.

Case No. 1:14-cv-01776-SAB-HC
ORDER DENYING MOTION FOR
APPOINTMENT OF COUNSEL
(ECF No. 3)

Petitioner is a state prisoner proceeding pro se with a petition for writ of habeas corpus pursuant to 28 U.S.C. § 2254. On November 13, 2014, Petitioner filed a motion for appointment of counsel. Petitioner argues that counsel should be appointed to protect his interests.

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.

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

IT IS SO ORDERED.

Dated: November 14, 2014



UNITED STATES MAGISTRATE JUDGE