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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

ALONZO McKINNEY,
Petitioner,
v.
HEDGEPEETH,
Respondent.

Case No. 1:15-cv-00059-GSA-HC
ORDER DENYING MOTION FOR
APPOINTMENT OF COUNSEL
(ECF No. 2)

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 24, 2014, Petitioner filed his petition in the United States District Court for the Northern District of California. On January 9, 2015, Magistrate Judge Laurel Beeler of the Northern District of California issued an order dismissing Petitioner’s first claim concerning prison conditions and transferring the action to this Court for consideration of the two claims challenging the execution of his sentence. (ECF No. 4).

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.

On December 15, 2014, Petitioner filed the instant motion for appointment of counsel.

1 (ECF No. 2). Petitioner requests counsel, but does not state any reasons as to why counsel
2 should be appointed. Upon a review of the petition, the Court does not find that the interests of
3 justice require the appointment of counsel at the present time.

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

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7 IT IS SO ORDERED.

8 Dated: January 13, 2015

/s/ Gary S. Austin
UNITED STATES MAGISTRATE JUDGE

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