

1 circumstances exist, a district court must evaluate both the likelihood of success on the merits [and]
2 the ability of the [plaintiff] to articulate his claims pro se in light of the complexity of the legal issues
3 involved.” *Id.* (internal quotation marks and citations omitted).

4 Here, the Court does not find the required exceptional circumstances. The record reflects that
5 Plaintiff is able to adequately articulate his claim, and the issues raised here are not particularly
6 complex. Furthermore, at this stage in the proceedings, the Court cannot make a determination that
7 Plaintiff is likely to succeed on the merits.

8 Accordingly, Plaintiff’s third motion requesting the appointment of counsel is HEREBY
9 DENIED, without prejudice.

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11 IT IS SO ORDERED.

12 Dated: February 23, 2018



UNITED STATES MAGISTRATE JUDGE

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