

1 § 1915(e)(1). Mallard v. U.S. Dist. Court for the S. Dist. of Iowa, 490 U.S. 296, 298 (1989). However,
2 in certain exceptional circumstances the court may request the voluntary assistance of counsel
3 pursuant to section 1915(e)(1). Rand, 113 F.3d at 1525. Without a reasonable method of securing and
4 compensating counsel, the court will seek volunteer counsel only in the most serious and exceptional
5 cases. In determining whether “exceptional circumstances exist, a district court must evaluate both the
6 likelihood of success on the merits [and] the ability of the [plaintiff] to articulate his claims pro se in
7 light of the complexity of the legal issues involved.” Id. (internal quotation marks and citations
8 omitted).

9 Here, the Court does not find the required exceptional circumstances for the appointment of
10 counsel. Even if it is assumed that Plaintiff is not well versed in the law and that he has made serious
11 allegations which, if proved, would entitle him to relief, his case is not exceptional. This Court is faced
12 with similar cases almost daily. The legal issues in this case are not complex, and the record reflects
13 that Plaintiff is able to adequately articulate his claims. Although the Court has ordered Plaintiff’s first
14 amended complaint to be served, at this early stage the Court cannot find that this action is likely to
15 succeed on the merits.

16 As Plaintiff has been informed, to the extent his medical issues prevent him from timely
17 complying with the Court’s deadlines, he may request an extension of time supported by good cause.
18 Plaintiff may also continue seeking the assistance of other inmates as he has done in filing this motion.

19 Accordingly, Plaintiff’s request for counsel, filed June 1, 2017 (ECF No. 25), is HEREBY
20 DENIED, without prejudice.

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22 IT IS SO ORDERED.

23 Dated: June 5, 2017

24 /s/ Barbara A. McAuliffe
25 UNITED STATES MAGISTRATE JUDGE
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