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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

HARLEY McNEIL,

Plaintiff,

vs.

NANCY A. BERRYHILL, Acting
Commissioner of Social Security,

Defendant.

1:15-cv-01442 AWI-GSA

ORDER REQUIRING A RESPONSE FROM
PLAINTIFF RE: APPOINTMENT OF
COUNSEL

Plaintiff is proceeding in this action *pro se*. A review of the pleadings reveals that this case presents complex legal issues and that Plaintiff suffers from cognitive impairments as a result of a motorcycle accident that occurred several years ago. In light of Plaintiff's limitations the Court has *sua sponte* determined that exceptional circumstances exist that warrants the appointment of counsel in this matter. *Terrell v. Brewer*, 925 F. 2d 1015 (9th Cir. 1991). The Court has contacted Jonathan Pena, an attorney who specializes in social security cases, and he has indicated that he is willing to assist Plaintiff during the proceedings before this Court. Accordingly, by **no later than March 2, 2018**, Plaintiff shall file a statement indicating whether he will accept the appointment of counsel in this action. The Court encourages Plaintiff to do so given the complexity of the issues presented and his medical history.

IT IS SO ORDERED.

Dated: February 22, 2018

/s/ Gary S. Austin
UNITED STATES MAGISTRATE JUDGE