

1 1500, 1511 (9th Cir. 1991), vacated and remanded on other grounds by Helling v. McKinney, 502
2 U.S. 903 (1991). Nevertheless, Rule 706 allows only for the appointment of a *neutral* expert. It
3 does not provide for the appointment of an expert on plaintiff's behalf. Gorton v. Todd, 793
4 F.Supp.2d 1171, 1177-78 (E.D. Cal. 2011). Accordingly, that request is **DENIED**.

5 The plaintiff, once again, requests appointment of an attorney, if the Court denies his
6 request for appointment of an expert. (Doc. 76). He asserts that his inexperience in legal matters
7 will prolong the trial and the superior ability of a lawyer to cross examine the witnesses, as
8 justification for the appointment. Id. at 5. These reasons, in essence, are the same that he put
9 forth in his prior motions for appointment of counsel. (Docs. 27, 61) For the same reasons Mr.
10 Flowers' prior request for counsel was denied¹ (Doc. 64), the Court **DENIES** this current request.

11 **ORDER**

12 Based upon the foregoing, the Court **ORDERS**:

- 13 1. The requests to modify the pretrial order (Docs. 78, 80) are **GRANTED**. Tony
14 Diaz is substituted for Raul Morales and V. Bustos is substituted for J. Navarro;
15 2. The plaintiff's request for appointment of an expert or a lawyer are **DENIED**.

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17 IT IS SO ORDERED.

18 Dated: July 20, 2018

/s/ Jennifer L. Thurston
19 UNITED STATES MAGISTRATE JUDGE

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¹ Moreover, the Court has been unable to locate a lawyer willing to accept appointment in this case.