

1 1915(e)(1). Rand, 113 F.3d at 1525. Without a reasonable method of securing and compensating
2 counsel, the Court will seek volunteer counsel only in the most serious and exceptional cases. In
3 determining whether “exceptional circumstances exist, the district court must evaluate both the
4 likelihood of success of the merits [and] the ability of the [plaintiff] to articulate his claims pro se in
5 light of the complexity of the legal issues involved.” Id. (internal quotation marks and citations
6 omitted).

7 In the present case, the Court does not find the required exceptional circumstances. Even if it is
8 assumed that Plaintiff is not well versed in the law and that he has made serious allegations which, if
9 proved, would entitle him to relief, his case is not exceptional. This Court is faced with similar cases
10 with similar allegations as Plaintiff has presented made by other inmates almost daily. Further, at this
11 early stage in the proceedings, the Court cannot find any likelihood of success on the merits. Also,
12 based on a review of the record in this case, the court does not find that Plaintiff cannot adequately
13 articulate his claims. Id. Although he has not yet stated any cognizable claims, the Court has been able
14 to comprehend his pleadings, filings, and motions, which are written in English. Thus, the Court does
15 not find this to be a serious and exceptional case necessitating the appointment of counsel at this time.

16 Accordingly, it is HEREBY ORDERED that Plaintiff’s motion for the appointment of counsel
17 (ECF No. 29) is DENIED, without prejudice.

18
19 IT IS SO ORDERED.

20 Dated: September 27, 2016

/s/ Barbara A. McAuliffe
21 UNITED STATES MAGISTRATE JUDGE
22
23
24
25
26
27
28