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5 UNITED STATES DISTRICT COURT
6 EASTERN DISTRICT OF CALIFORNIA
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9 SAMUEL XAVIER BRYANT,

10 Petitioner,

11 v.

12 W. MUNIZ,

13 Respondent.
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1:16 -cv-00190-DAD-MJS (HC)

ORDER DENYING MOTION FOR
APPOINTMENT OF COUNSEL

(Doc. 42)

15
16 Petitioner has requested the appointment of counsel. There currently exists no
17 absolute right to appointment of counsel in habeas proceedings. See, e.g., Anderson v.
18 Heinze, 258 F.2d 479, 481 (9th Cir. 1958); Mitchell v. Wyrick, 727 F.2d 773, 774 (8th
19 Cir. 1984). However, Title 18 U.S.C. § 3006A(a)(2)(B) authorizes the appointment of
20 counsel at any stage of the case if "the interests of justice so require." See Rule 8(c),
21 Rules Governing Section 2254 Cases. In the present case, the Court does not find that
22 the interests of justice require the appointment of counsel at the present time.
23 Accordingly, IT IS HEREBY ORDERED that Petitioner's request for appointment of
24 counsel is DENIED.

25 IT IS SO ORDERED.

26 Dated: March 21, 2017

27 /s/ Michael J. Seng
28 UNITED STATES MAGISTRATE JUDGE