

1 UNITED STATES DISTRICT COURT
2 EASTERN DISTRICT OF CALIFORNIA

3
4 JOSE M. LOPEZ,

5 Petitioner,

6 v.

7 DANIEL PARAMO, Warden,

8 Respondent.

CASE NO. 1:16-cv-01489-LJO-SKO HC

ORDER DENYING PETITIONER'S MOTION
FOR APPOINTMENT OF COUNSEL

(Doc. 15)

9
10
11 Petitioner Jose M. Lopez, proceeding *pro se* with a petition for writ of habeas corpus pursuant to
12 28 U.S.C. § 2254, moves for appointment of counsel to assist in the preparation of his reply (traverse).
13 Petitioner contends that he requires assistance due to unspecified complex issues and unspecified
14 changes in applicable law.

15 In federal habeas proceedings, no absolute right to appointment of counsel currently exists. *See,*
16 *e.g., Anderson v. Heinze*, 258 F.2d 479, 481 (9th Cir. 1958); *Mitchell v. Wyrick*, 727 F.2d 773, 774 (8th
17 Cir. 1984). Nonetheless, a court may appoint counsel at any stage of the case "if the interests of justice
18 so require." 18 U.S.C. § 3006A(a)(2)(B); Rule 8(c), Rules Governing Section 2254 Cases. Petitioner
19 has capably represented himself to this point, including his filing of a petition setting forth the same
20 issues he now deems complex. The interests of justice do not require appointment of counsel at this
21 advance stage of the proceedings.

22 Petitioner's motion for appointment of counsel is hereby DENIED.

23 IT IS SO ORDERED.

24
25 Dated: January 30, 2017

/s/ Sheila K. Oberto
UNITED STATES MAGISTRATE JUDGE