

1 Court cannot require an attorney to represent Plaintiff pursuant to 28 U.S.C. § 1915(e)(1).
2 *Mallard v. U.S. Dist. Ct. for the S. Dist. of Iowa*, 490 U.S. 296, 298 (1989). The Court may
3 request the voluntary assistance of counsel under section 1915(e)(1). *Rand*, 113 F.3d at 1525.
4 However, without a reasonable method of securing and compensating counsel, the Court will seek
5 volunteer counsel only in the most serious and exceptional cases. In determining whether
6 exceptional circumstances exist, the district court must evaluate both the likelihood of success of
7 the merits and the ability of the plaintiff to articulate his claims *pro se* in light of the complexity
8 of the legal issues involved. *Id.*

9 The Court again does not find the required exceptional circumstances. Even assuming that
10 Plaintiff is not well-versed in the law and that he has made serious allegations, which, if proved,
11 would entitle him to relief, his case is not exceptional. This Court is faced with similar cases
12 almost daily. At this stage in the proceedings, the Court cannot determine that Plaintiff is likely to
13 succeed on the merits; the Court shall review of Plaintiff's Fourth Amended Complaint in due
14 course. Moreover, based on a review of the record, the Court finds that Plaintiff remains able to
15 articulate his claims adequately and advance this litigation.

16 For the foregoing reasons, the Court shall not entertain any further motions for
17 appointment of counsel absent an exceptional change of circumstances. Accordingly, this Court
18 **DENIES WITHOUT PREJUDICE** Plaintiff's motion for the appointment of counsel. (Doc.
19 78.)

20 IT IS SO ORDERED.

21 Dated: May 3, 2021

22 /s/ Jennifer L. Thurston
23 CHIEF UNITED STATES MAGISTRATE JUDGE
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