

1 UNITED STATES DISTRICT COURT
2 EASTERN DISTRICT OF CALIFORNIA

3
4 GREGORY DICKERSON,

5 Petitioner,

6 v.

7 PAT VASQUEZ, Warden,

8 Respondent.

CASE NO. 1:16-cv-01889-SKO HC

ORDER DENYING PETITIONER'S MOTION
FOR APPOINTMENT OF COUNSEL

(Doc. 2)

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11 Petitioner Gregory Dickerson, proceeding *pro se* with a petition for writ of habeas corpus
12 pursuant to 28 U.S.C. § 2254, moves for appointment of counsel. Using a California state form for
13 appointment of trial counsel, he contends that he is entitled to appointment of counsel based on
14 indigency.

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.
19 Because Petitioner assumes that he is entitled to counsel, he alleges no basis by which the Court may
20 appoint counsel on his behalf.

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

22 IT IS SO ORDERED.

23
24 Dated: December 20, 2016

/s/ Sheila K. Oberto
UNITED STATES MAGISTRATE JUDGE