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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

OSCAR PABLO TORRES,
Petitioner,
v.
SUZANNE PEERY,
Respondent.

No. 1:17-cv-00169-LJO-SKO (HC)

**ORDER DENYING MOTION FOR
APPOINTMENT OF COUNSEL
(Doc. 49)**

Petitioner Oscar Pablo Torres, proceeding with a petition for writ of habeas corpus pursuant to 28 U.S.C. § 2254, moves for appointment of counsel.

In federal habeas proceedings, no absolute right to appointment of counsel currently exists. *See, e.g., Anderson v. Heinze*, 258 F.2d 479, 481 (9th Cir. 1958); *Mitchell v. Wyrick*, 727 F.2d 773, 774 (8th Cir. 1984). Nonetheless, a court may appoint counsel at any stage of the case "if the interests of justice so require." 18 U.S.C. § 3006A(a)(2)(B); Rule 8(c), Rules Governing Section 2254 Cases. Petitioner contends that the Court should appoint counsel based on Petitioner's indigence, the complexity of the case, and lack of knowledge of the law. Because nearly all prisoners share these characteristics, Petitioner, who has competently submitted a petition, alleges no basis by which the Court may appoint counsel on his behalf.

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

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IT IS SO ORDERED.

Dated: September 24, 2018

/s/ Sheila K. Overta
UNITED STATES MAGISTRATE JUDGE