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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

MICHAEL MORSE,

 Petitioner,

 v.

CALIFORNIA DEPARTMENT OF
CORRECTIONS,

 Respondent.

Case No. 1:17-cv-00296-DAD-JLT (HC)

ORDER GRANTING MOTION TO
PROCEED IN FORMA PAUPERIS
(Doc. 2)

ORDER DENYING MOTION FOR
APPOINTMENT OF COUNSEL
(Doc. 3)

Petitioner has filed a motion to proceed in forma pauperis (Doc. 2). Pursuant to 28 U.S.C. § 1915, Petitioner’s motion is granted and he is authorized to proceed in forma pauperis.

Petitioner has requested the appointment of counsel (Doc. 3). There currently exists no absolute right to appointment of counsel in habeas proceedings. 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). However, Title 18 U.S.C. § 3006A(a)(2)(B) authorizes the appointment of counsel at any stage of the case if "the interests of justice so require." See Rule 8(c), Rules Governing Section 2254 Cases. In the present case, the Court does not find that the interests of justice require the appointment of counsel at the present time.

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ORDER

Accordingly, the Court **ORDERS** that Petitioner's motion to proceed in forma pauperis is **GRANTED**, and his motion for appointment of counsel is **DENIED**.

IT IS SO ORDERED.

Dated: March 29, 2017

/s/ Jennifer L. Thurston
UNITED STATES MAGISTRATE JUDGE