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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

ANTHONY CEASAR HERNANDEZ,
Plaintiff,
v.
BALLAM, et al.,
Defendants.

Case No.: 1:17-cv-00468-BAM (PC)
ORDER DENYING MOTION FOR
APPOINTMENT OF COUNSEL
[ECF No. 23]

Plaintiff Anthony Ceasar Hernandez is a state prisoner proceeding *pro se* and *in forma pauperis* in this civil rights action pursuant to 42 U.S.C. § 1983.

Currently before the Court is Plaintiff’s motion for the appointment of counsel, filed on February 7, 2018. (ECF No. 23.) In support, Plaintiff states that he is unable to afford counsel, his imprisonment limits his ability to litigate, that this case is complex, and he has limited legal knowledge and law library access. He also discusses that he has not completed high school and has mental health issues that affect his comprehension, and takes psychiatric medications.

Plaintiff does not have a constitutional right to appointed counsel in this action, *Rand v. Rowland*, 113 F.3d 1520, 1525 (9th Cir. 1997), *rev’d in part on other grounds*, 154 F.3d 952, 954 n.1 (9th Cir. 1998), and the Court cannot require an attorney to represent Plaintiff pursuant to 28 U.S.C. §1915(e)(1), *Mallard v. U.S. Dist. Court for the S. Dist. of Iowa*, 490 U.S. 296, 298 (1989). However, in certain exceptional circumstances the court may request the voluntary

