

1 evaluate both the likelihood of success of the merits [and] the ability of the [plaintiff] to
2 articulate his claims pro se in light of the complexity of the legal issues involved.” Id. (internal
3 quotation marks and citations omitted).

4 Plaintiff seeks the appointment of counsel because he is unable to afford counsel and has
5 been unable to hire an attorney on his own, the legal issues are complex, including that there are
6 medical issues and six defendants, and he has limited knowledge of the law and limited law
7 library access. Plaintiff also discusses that English is his second language, and that he does not
8 have an educational background in the United States.

9 In the present case, the Court does not find that exceptional circumstances exist which
10 would warrant a request for the voluntary assistance of counsel. Circumstances common to most
11 prisoners, such as non-attorney status and limited law library access, do not establish exceptional
12 circumstances. Further, the record reflects that Plaintiff is adequately able to articulate his claim,
13 and the issues raised are not complex. Finally, at this early stage in the litigation, where Plaintiff
14 has not yet pleaded any cognizable claim, the Court does not find any likelihood of success on
15 the merits.

16 Accordingly, Plaintiff’s motion for appointment of counsel is denied, without prejudice.

17 IT IS SO ORDERED.

18 Dated: October 17, 2017

19 
20 UNITED STATES MAGISTRATE JUDGE