1 2 3 4 5 6 7 UNITED STATES DISTRICT COURT 8 9 EASTERN DISTRICT OF CALIFORNIA 10 11 ELVIS VENABLE, Case No. 1:17-cv-01519-BAM (PC) 12 ORDER DENYING MOTION TO APPOINT Plaintiff. COUNSEL 13 v. (ECF No. 75) 14 PATEL, 15 Defendant. 16 17 Plaintiff Elvis Venable ("Plaintiff") is a state prisoner proceeding pro se and in forma pauperis in this civil rights action pursuant to 42 U.S.C. § 1983. This action proceeds on 18 19 Plaintiff's claim against Defendant Patel for nominal, compensatory, and punitive damages 20 resulting from Defendant Patel's alleged violation of Plaintiff's Eighth Amendment rights. All 21 parties have consented to Magistrate Judge jurisdiction. (ECF No. 44.) This case is set for a jury 22 trial commencing February 14, 2022. 23 Plaintiff filed a motion to appoint counsel on December 6, 2021, and the Court issued an 24 order denying the motion on December 13, 2021. (ECF Nos. 70, 74.) Currently before the Court is Plaintiff's renewed motion to appoint counsel, filed 25 26 December 13, 2021. (ECF No. 75.) Plaintiff has not provided any additional information in 27 support of his request for counsel, and it appears that Plaintiff's renewed motion has crossed in 28 the mail with the Court's order denying the original motion. Accordingly, Plaintiff's renewed

motion to appoint counsel is denied for the reasons stated in the Court's December 13, 2021 order. (ECF No. 74.) Accordingly, Plaintiff's renewed motion to appoint counsel, (ECF No. 75), is HEREBY DENIED, without prejudice. IT IS SO ORDERED. Dated: **December 14, 2021** UNITED STATES MAGISTRATE JUDGE