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8 UNITED STATES DISTRICT COURT  
9 EASTERN DISTRICT OF CALIFORNIA  
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11 STEVE ROCKY NICKLAS,

12 Plaintiff,

13 v.

14 W. KOKOR and MS. MATA,

15 Defendants.  
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Case No. 1:18-cv-00119-LJO-EPG (PC)

ORDER DENYING PLAINTIFF'S  
REQUEST FOR ASSISTANCE

(ECF NO. 22)

17 Steve Rocky Nicklas ("Plaintiff") is a state prisoner proceeding *pro se* and *in forma*  
18 *pauperis* in this civil rights action filed pursuant to 42 U.S.C. § 1983.

19 On October 31, 2018, Plaintiff filed a letter to the Court. In the letter, Plaintiff states  
20 that he cannot read or write, and that he has a TABE score of 0. Plaintiff had been receiving  
21 help from the Librarian at the Substance Abuse Treatment Facility, but he was transferred to a  
22 different institution. "We" requested appointment of counsel, and in that motion Plaintiff  
23 provided proof that he cannot read or write, but Plaintiff does not know what happened with  
24 that request. While Plaintiff's current institution of confinement has offered to provide an  
25 officer to assist Plaintiff at the upcoming scheduling conference, that officer does not know the  
26 law and cannot help Plaintiff. Plaintiff asks for help in going forward with his case.

27 To begin, the Court notes that it has not received a request from Plaintiff for  
28 appointment of counsel. If Plaintiff wants to request appointment of counsel, he should refile

1 that motion.

2 As to Plaintiff's request for help in going forward with this case, it will be denied.  
3 After reviewing Plaintiff's complaint, it appears that Plaintiff can adequately articulate his  
4 claims. In fact, all of the claims Plaintiff alleged in his original complaint are proceeding (ECF  
5 No. 12, p. 9). Additionally, it appears that Plaintiff is receiving assistance at his current  
6 institution of confinement. Plaintiff's letter was written on Plaintiff's behalf by "LTA M.  
7 Porter," and Plaintiff has stated that the institution offered to have an officer assist Plaintiff at  
8 the upcoming scheduling conference. Finally, while the Court will not provide Plaintiff with  
9 legal advice, at the upcoming scheduling conference the Court will explain to Plaintiff how the  
10 case will proceed and will do its best to answer any questions Plaintiff has about the process.

11 Accordingly, IT IS ORDERED that Plaintiff's request for help is DENIED. This denial  
12 is without prejudice to Plaintiff filing a motion for appointment of counsel.

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14 IT IS SO ORDERED.

15 Dated: November 6, 2018

16 /s/ Eric P. Grogan  
17 UNITED STATES MAGISTRATE JUDGE  
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