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**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF CALIFORNIA**

JAMES CARL KELLY,  
Plaintiff,  
v.  
DR. SAO, *et al.*,  
Defendants.

1:18-cv-000484-EPG (PC)  
ORDER DENYING APPOINTMENT OF  
COUNSEL IN CLOSED CASE  
(ECF No. 14)

Plaintiff, a state prisoner, filed this 42 U.S.C. § 1983 action *pro se* and proceeded in this action *in forma pauperis* pursuant to 28 U.S.C. § 1915. Before the Court is Plaintiff's motion for appointment of counsel. (ECF No. 14.)

On October 16, 2018, this action was dismissed for failure to state a claim, with the federal claims dismissed with prejudice and the state claims without prejudice; judgment was entered; and the case was closed. (ECF Nos. 12, 13.) On May 15, 2019, Plaintiff filed his motion to appoint counsel. As case was closed seven months ago, there is no basis for appointing counsel. Accordingly,

IT IS ORDERED that Plaintiff's motion for appointment of counsel (ECF No. 14) is DENIED.  
IT IS SO ORDERED.

Dated: May 17, 2019

/s/ Eric P. Groj  
UNITED STATES MAGISTRATE JUDGE