

1
2
3
4
5
6
7
8 UNITED STATES DISTRICT COURT
9 EASTERN DISTRICT OF CALIFORNIA
10

11 MICHAEL HERNANDEZ GONZALEZ,

12 Plaintiff,

13 v.

14 GUARD H. PEREZ, et al.,

15 Defendants.
16

No. 1:19-cv-1447-JLT (PC)

**ORDER DENYING PLAINTIFF'S
MOTIONS FOR APPOINTMENT OF
COUNSEL**

(Docs. 78, 80, 96)

17 Plaintiff has filed his eighth, ninth, and tenth requests for the appointment of counsel. The
18 United States Supreme Court has ruled that district courts lack authority to require counsel to
19 represent indigent prisoners in section 1983 cases. *Mallard v. U.S. Dist. Ct.*, 490 U.S. 296, 298
20 (1989). In certain exceptional circumstances, the court may request the voluntary assistance of
21 counsel under 28 U.S.C. § 1915(e)(1). *Terrell v. Brewer*, 935 F.2d 1015, 1017 (9th Cir. 1991);
22 *Wood v. Housewright*, 900 F.2d 1332, 1335–36 (9th Cir. 1990). However, Plaintiff has again
23 failed to demonstrate the required exceptional circumstances for court assistance in obtaining
24 counsel. Accordingly, the Court **DENIES** the motions without prejudice.

25
26 IT IS SO ORDERED.

27 Dated: April 1, 2021

/s/ Jennifer L. Thurston
CHIEF UNITED STATES MAGISTRATE JUDGE
28