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7       **UNITED STATES DISTRICT COURT**  
8                   **EASTERN DISTRICT OF CALIFORNIA**  
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10      COREY R. RYLAND,

11                   Petitioner,

12                v.

13      DIRECTOR OF BUREAU OF PRISONS,

14                   Respondent.

Case No. 1:23-cv-01191-EPG-HC

ORDER DENYING PETITIONER'S  
MOTION FOR APPOINTMENT OF  
COUNSEL

(ECF No. 10)

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16      Petitioner Corey R. Ryland is a federal prisoner proceeding *pro se* with a petition for writ  
17 of habeas corpus pursuant to 28 U.S.C. § 2241. On November 13, 2023, the Court received the  
18 instant motion for appointment of counsel. (ECF No. 10.)

19      There currently exists no absolute right to appointment of counsel in habeas proceedings.

20      See, e.g., Chaney v. Lewis, 801 F.2d 1191, 1196 (9th Cir. 1986); Anderson v. Heinze, 258 F.2d  
21 479, 481 (9th Cir. 1958). However, 18 U.S.C. § 3006A(a)(2)(B) authorizes the appointment of  
22 counsel at any stage of the proceeding for financially eligible persons if “the interests of justice  
23 so require.” To determine whether to appoint counsel, the “court must evaluate the likelihood of  
24 success on the merits as well as the ability of the petitioner to articulate his claims *pro se* in light  
25 of the complexity of the legal issues involved.” Weygandt v. Look, 718 F.2d 952, 954 (9th Cir.  
26 1983).

27      Petitioner argues that counsel should be appointed because he “limited access to the law  
28 library and limited knowledge of the law.” (ECF No. 10.) Upon review of the petition, the instant

1 motion, and Petitioner's other submissions to the Court, the Court finds that Petitioner appears to  
2 have a sufficient grasp of his claims and the legal issues involved and that he is able to articulate  
3 those claims adequately. The legal issues involved are not extremely complex, and Petitioner  
4 does not demonstrate a likelihood of success on the merits such that the interests of justice  
5 require the appointment of counsel at the present time.

6 If, upon review of Respondent's response to the petition, the Court finds that the legal  
7 issues are more complex than they appear currently, the Court will revisit Petitioner's request for  
8 counsel.

9 Accordingly, IT IS HEREBY ORDERED that Petitioner's motion for appointment of  
10 counsel (ECF No. 10) is DENIED without prejudice.

11 IT IS SO ORDERED.  
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13 Dated: November 14, 2023

*/s/ Eric P. Groj*

14 UNITED STATES MAGISTRATE JUDGE

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