

1 claims pro se in light of the complexity of the legal issues involved. Palmer v. Valdez, 560 F.3d
2 965, 970 (9th Cir. 2009) (district court did not abuse discretion in declining to appoint counsel).
3 The burden of demonstrating exceptional circumstances is on the plaintiff. Id. Circumstances
4 common to most prisoners, such as lack of legal education and limited law library access, do not
5 establish exceptional circumstances that warrant a request for voluntary assistance of counsel.

6 Plaintiff's complaint raises three straightforward claims against three defendants:
7 excessive force, failure to protect, and cruel and unusual punishment. See ECF No. 1 at 3-5. In
8 addition, a review of the filings Plaintiff has done to date does not indicate that he any cognitive
9 or mental health deficiencies that would prevent him from competently litigating this case. For
10 these reasons, the Court finds that Plaintiff has failed to meet his burden of demonstrating
11 exceptional circumstances warranting the appointment of counsel at this time.

12 Accordingly, IT IS HEREBY ORDERED that Plaintiff's request for the appointment of
13 counsel (ECF No. 11) is DENIED.

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16 IT IS SO ORDERED.

17 Dated: January 7, 2025

/s/ Gary S. Austin
UNITED STATES MAGISTRATE JUDGE