IN THE UNITED STATES DISTRICT COURT

FOR THE EASTERN DISTRICT OF CALIFORNIA

THOMAS EUGENE MOORE,

Petitioner, No. CIV S-02-0007 JAM DAD P

vs.

ROBERT HOREL, Warden,

Respondent. ORDER

_____/

Petitioner has again requested the appointment of counsel. As petitioner has been previously advised, there currently exists no absolute right to appointment of counsel in habeas proceedings. See Nevius v. Sumner, 105 F.3d 453, 460 (9th Cir. 1996). In addition, the court does not find that the interests of justice would be served by the appointment of counsel at the present time.

Accordingly, IT IS HEREBY ORDERED that petitioner's September 11, 2009, request for appointment of counsel (Doc. No. 130) is denied without prejudice.

DATED: September 15, 2009.

DALE A. DROZD
UNITED STATES MAGISTRATE JUDGE

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