

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA

MICHAEL HUFTILE,

Petitioner,

No. CIV S-05-0174 GEB DAD F

VS.

MELVIN HUNTER, et al.,

## Respondents.

## ORDER

Petitioner has requested the appointment of counsel. There currently exists no appointment of counsel in habeas proceedings. See Nevius v. Sumner, 105 F.3d Cir. 1996). However, 18 U.S.C. § 3006A authorizes the appointment of counsel at the case “if the interests of justice so require.” See Rule 8(c), Fed. R. Governing

In the present case, the court does not find that the interests of justice would be appointment of counsel at the present time.

Accordingly, IT IS HEREBY ORDERED that petitioner's January 8, 2009 motion for appointment of counsel (Doc. No. 23) is denied.

DATED: January 22, 2009.

Dale A. Drozd  
DALE A. DROZD  
UNITED STATES MAGISTRATE JUDGE