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

EVERETT JOSEPH JEWETT,  
Plaintiff,  
vs.  
PRISON HEALTH SERVICES, INC.  
Defendant.

No. 2:06-CV-02857 ODW

ORDER

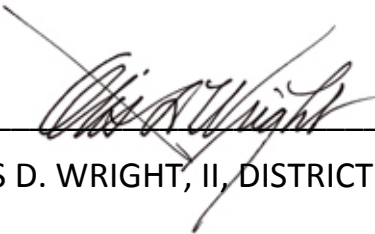
Plaintiff has filed his second request [41] for court appointment of counsel on his behalf. The first request was on January 11, 2007 while still in state custody. As was explained in the order denying the request for the appointment of counsel, "district courts lack authority to require counsel to represent indigent prisoners in section 1983 cases. (Citation) In exceptional circumstances, the court may request counsel voluntarily to represent such a plaintiff. 28 U.S. C. § 1915(e)(1); *Terrell v. Brewer*, 935 F.2d 1015, 1017 (9th Cir. 1991); *Wood v. Housewright*, 900 F. 2d 1332, 1335-36 (9th Cir 1990)."

The court docket reflects that Plaintiff was paroled on or about November 29, 2010 and is no longer in state custody. It should be self-evident that if the

1 court is not authorized to appoint private counsel for an indigent individual in  
2 state custody pursuing a civil action, there would be absolutely no authority to  
3 appoint counsel for someone not in custody. The request for the appointment of  
4 counsel is denied. However, the Central District has a Pro Se Clinic available to  
5 advise and assist civil litigants.

6 It is further ordered, however, that Plaintiff has until February 7, 2011 to  
7 provide the court with his new mailing address. Failure to do so will result in the  
8 dismissal of this case.

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10 DATED: January 7, 2011

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13 OTIS D. WRIGHT, II, DISTRICT JUDGE