

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

DONOVAN PHIPPS,

Petitioner,

No. CIV S-07-0087 WBS CHS P

VS.

MIKE EVANS, Warden, 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 this time.

Accordingly, IT IS HEREBY ORDERED that petitioner's March 26, 2009 request for appointment of counsel is denied.

DATED: April 1, 2009

Charles H. Sorrentino

CHARLENE H. SORRENTINO
UNITED STATES MAGISTRATE JUDGE