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

JOHNNY ANDREW MOORE,

Petitioner,

No. CIV S-07-1365 JAM EFB P

vs.

T. FELKER, Warden, et al.,

Respondents.

ORDER

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Petitioner is a state prisoner without counsel seeking a writ of habeas corpus. *See* 28 U.S.C. § 2254. On February 10, 2009, he requested appointment of counsel and an extension of time to file objections to the court’s January 30, 2009, findings and recommendations. *See* Fed. R. Civ. P. 6(b).

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). The court may appointment counsel at any stage of the proceedings “if the interests of justice so require.” *See* 18 U.S.C. § 3006A; *see also*, Rule 8(c), Rules Governing Section 2254 Cases. The court does not find that the interests of justice would be served by the appointment of counsel at this stage of the proceedings.

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1           Accordingly, it hereby is ORDERED that:

2           1. Petitioner's February 10, 2009 request for appointment of counsel is denied without  
3 prejudice; and,

4           2. Petitioner's February 10, 2009 request for an extension of time is granted and  
5 petitioner has until March 11, 2009, to file objections to the court's January 30, 2009 findings  
6 and recommendations. The court does not intend to grant further extensions of time.

7 Dated: February 11, 2009.

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9 EDMUND F. BRENNAN  
10 UNITED STATES MAGISTRATE JUDGE  
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