

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

WILLIAM SOTO,

Plaintiff,

No. CIV S-07-1842 FCD EFB F

VS.

DR. ZHOV,

Defendant.

## ORDER

15 Plaintiff is a state prisoner proceeding without counsel in an action brought under 42  
16 U.S.C. § 1983. He has requested that the court appoint counsel. District courts lack authority to  
17 require counsel to represent indigent prisoners in section 1983 cases. *Mallard v. United States*  
18 *Dist. Court*, 490 U.S. 296, 298 (1989). In exceptional circumstances, the court may request  
19 counsel voluntarily to represent such a plaintiff. 28 U.S.C. § 1915(e)(1); *Terrell v. Brewer*, 935  
20 F.2d 1015, 1017 (9th Cir. 1991); *Wood v. Housewright*, 900 F.2d 1332, 1335-36 (9th Cir. 1990).  
21 The court finds that there are no exceptional circumstances in this case. Plaintiff is informed that  
22 he may conduct defendants' depositions by written questions pursuant to Fed. R. Civ. P. 31.

23 Accordingly, IT IS HEREBY ORDERED that plaintiff's August 4, 2011 request for  
24 appointment of counsel is denied.

25 || DATED: August 11, 2011.

  
EDMUND F. BRENNAN  
UNITED STATES MAGISTRATE JUDGE