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

9 WILLIAM SOTO,

10 Plaintiff,

No. CIV S-07-1842 FCD EFB P

11 vs.

12 DR. ZHOV,

13 Defendant.

ORDER

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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.

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EDMUND F. BRENNAN
UNITED STATES MAGISTRATE JUDGE