

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

ROBERT E. LACEY,

2:07-cv-2254-LDG

Petitioner,

V.

## ORDER

J. TORRUELLA,

Respondent.

On December 19, 2008, Petitioner filed a motion for appointment of counsel (#11) pursuant to 18 U.S.C. § 3006(a)(2)(B). On October 9, 2009, the Court denied Petitioner's motion (#13). Petitioner has filed another, almost identical, motion for appointment of counsel. In order for the motion to be granted, Petitioner must show exceptional circumstances, including the likelihood of success on the merits and the inability of the pro se litigant to articulate his claims in light of the complexity of the issues involved. *Willborn v. Escalderon*, 789 F.2d 1328, 1331 (9th Cir. 1986). Petitioner has not shown either of the exceptional circumstances, nor does Petitioner present any new arguments for the Court's consideration. Accordingly,

THE COURT HEREBY ORDERS that Petitioner's motion for appointment of counsel (#14) is DENIED.

DATED this 10 day of March, 2011.

Lloyd D. George  
United States District Judge