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

PHILLIP VILLANUEVA,

Petitioner,

No. CIV S-07-2281 WBS CHS P

vs.

MIKE EVANS,

Respondent.

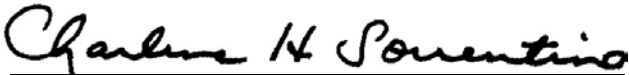
ORDER

_____/

Petitioner has once again requested the appointment of counsel. 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). However, 18 U.S.C. § 3006A authorizes the appointment of counsel at any stage of the case “if the interests of justice so require.” *See* Rule 8(c), Fed. R. Governing § 2254 Cases. At this time, it does not appear that the interests of justice would be served by the appointment of counsel in this case.

IT IS HEREBY ORDERED that petitioner’s April 16, 2009 request for appointment of counsel is denied.

DATED: April 21, 2009


CHARLENE H. SORRENTINO
UNITED STATES MAGISTRATE JUDGE