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

FREDRICK VARNER,

Petitioner,

No. CIV S-07-2494 MCE CHS P

vs.

D.K. SISTO, Warden, et al.,

Respondents.

ORDER

_____/

Petitioner has requested the appointment of counsel. There currently exists no absolute right to appointment of counsel in habeas corpus 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. In this case, findings and recommendations have been entered and the case is awaiting review by the assigned District Judge. It does not appear that the interests of justice would be served by the appointment of counsel at this time.

Accordingly, IT IS HEREBY ORDERED that petitioner’s June 15, 2010 request for appointment of counsel is denied.

DATED: August 2, 2010

Charlene H. Sorrentino
CHARLENE H. SORRENTINO
UNITED STATES MAGISTRATE JUDGE