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

TERRENCE BROWNLEE,

Plaintiff,

No. 2:08-cv-0661 LKK GGH P

vs.

R. CLAYTON, et al.,

Defendants.

ORDER

\_\_\_\_\_ /

Plaintiff has requested the appointment of counsel. The United States Supreme Court has ruled that district courts lack authority to require counsel to represent indigent prisoners in § 1983 cases. Mallard v. United States Dist. Court, 490 U.S. 296, 298 (1989). In certain exceptional circumstances, the court may request the voluntary assistance of counsel pursuant to 28 U.S.C. § 1915(e)(1). Terrell v. Brewer, 935 F.2d 1015, 1017 (9th Cir. 1991); Wood v. Housewright, 900 F.2d 1332, 1335-36 (9th Cir. 1990). In the present case, where the issues are relatively straightforward and do not require expert assistance, the court does not find the required exceptional circumstances. Plaintiff’s motion for the appointment of counsel will therefore be denied.

1                   Accordingly, IT IS HEREBY ORDERED that plaintiff's August 23, 2012 motion  
2 for the appointment of counsel (Docket No. 91) is denied.

3 DATED: September 11, 2012

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5                                   /s/ Gregory G. Hollows  
6                                   UNITED STATES MAGISTRATE JUDGE

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