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8	IN THE UNITED STATES DISTRICT COURT
9	FOR THE EASTERN DISTRICT OF CALIFORNIA
10	BRIAN KEITH DENT,
11	Plaintiff, No. 2:08-cv-0736 MCE JFM (PC)
12	VS.
13	D. SILBAUGH, et al.,
14	Defendants. <u>ORDER</u>
15	/
16	Plaintiff is a state prisoner proceeding pro se with a civil rights action pursuant to
17	42 U.S.C. §1983. On July 21, 2010, plaintiff filed a motion for appointment of counsel. The
18	United States Supreme Court has ruled that district courts lack authority to require counsel to
19	represent indigent prisoners in § 1983 cases. Mallard v. United States Dist. Court, 490 U.S. 296,
20	298 (1989). In certain exceptional circumstances, the court may request the voluntary assistance
21	of counsel pursuant to 28 U.S.C. § 1915(e)(1). <u>Terrell v. Brewer</u> , 935 F.2d 1015, 1017 (9th Cir.
22	1991); Wood v. Housewright, 900 F.2d 1332, 1335-36 (9th Cir. 1990). In the present case, the
23	court does not find the required exceptional circumstances. Plaintiff's motion for the
24	appointment of counsel will therefore be denied.
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1	On July 27, 2010, defendant filed a request for a fifty day extension of time to file
2 a reply brief in	support of his motion for summary judgment. Good cause appearing, defendant's
3 request will be	granted.
4	In accordance with the above, IT IS HEREBY ORDERED that:
5	1. Plaintiff's July 21, 2010 motion for appointment of counsel is denied;
6	2. Defendant's July 27, 2010 motion for extension of time is granted; and
7	3. Defendant is granted an extension of time to and including September 17, 2010
8 in which to file	a reply brief in support of his motion for summary judgment.
9 DATED: Augu	ust 2, 2010.
10	Ap T map a
11	UNTED STATES MAGISTRATE JUDGE
12	OWTED STATES MADISTRATE JOLAIE
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