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

KENNETH E. BAPTISTE,

Plaintiff,

No. 2:08-cv-1420 KJM CKD P

vs.

G. DUNN, et al.,

Defendants.

ORDER

_____/

Plaintiff has requested the appointment of counsel. United States 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, the court does not find the required exceptional circumstances exist at this time.

Accordingly, IT IS HEREBY ORDERED that plaintiff's request for the appointment of counsel is denied.

Dated: April 1, 2013



CAROLYN K. DELANEY
UNITED STATES MAGISTRATE JUDGE