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

CHARLES EDWARD LEE,

Petitioner,

No. CIV S-08-1710 MCE CHS P

vs.

M. KRAMER,

Respondent.

ORDER

_____ /

Petitioner, a state prisoner who proceeded pro se in this court with a writ of habeas corpus pursuant to 28 U.S.C. § 2254, has filed a motion requesting 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 are awaiting review by the District Judge. It appears that the interests of justice do not require the appointment of counsel at this time. Accordingly, petitioner’s November 30, 2010 request for appointment of counsel is denied. IT IS SO ORDERED.

DATED: December 14, 2010

Charlene H. Sorrentino

CHARLENE H. SORRENTINO
UNITED STATES MAGISTRATE JUDGE