UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF CALIFORNIA

* * *

TIMOTHY DEMOND BARRY,

Plaintiff,

v.

T. FELKER, et al.,

Defendants.

2:08-cv-01722-PMP-GWF

ORDER

Before the Court is Plaintiff Timothy Demond Barry's Motion for Appointment of Counsel (Doc. #64), filed on March 25, 2013. Defendants J. Bishop and N. Albonico filed a Response (Doc. #65) on March 27, 2013.

The decision to appoint counsel in civil proceedings in forma pauperis is within "the sound discretion of the trial court and is granted only in exceptional circumstances." Agyeman v. Corr. Corp. of Am., 390 F.3d 1101, 1103 (9th Cir. 2004). Here, the Court finds no such exceptional circumstances to warrant the appointment of counsel.

IT IS THEREFORE ORDERED that Plaintiff Timothy Demond Barry's Motion for Appointment of Counsel (Doc. #64) is hereby **DENIED**.

DATED: April 8, 2013

PHILIP M. PRO
United States District Judge

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