1 2 3 4 5 6 7 8 IN THE UNITED STATES DISTRICT COURT 9 FOR THE EASTERN DISTRICT OF CALIFORNIA 10 JEFFRY IAN COOK, 11 Petitioner, No. CIV S-08-2025 FCD GGH P 12 VS. 13 D.K. SISTO, et al., 14 Respondents. **ORDER** 15 16 Petitioner has filed a motion for the appointment of counsel. There currently 17 exists no absolute right to appointment of counsel in habeas proceedings. See Nevius v. Sumner, 18 105 F.3d 453, 460 (9th Cir. 1996). However, 18 U.S.C. § 3006A authorizes the appointment of 19 counsel at any stage of the case "if the interests of justice so require." See Rule 8(c), Fed. R. 20 Governing § 2254 Cases. In the present case, the court does not find that the interests of justice 21 would be served by the appointment of counsel at the present time. 22 ///// 23 ///// 24 ///// 25 ///// ///// 26

(HC) Cook v. Sisto

Doc. 20

Accordingly, IT IS HEREBY ORDERED that petitioner's April 7, 2009, motion for appointment of counsel (Docket No. 18) is denied without prejudice to a renewal of the motion at a later stage of the proceedings. DATED: April 10, 2009 /s/ Gregory G. Hollows GREGORY G. HOLLOWS UNITED STATES MAGISTRATE JUDGE GGH:kly cook2025.110(2)