

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

FRANCISCO RAMOS,

Petitioner,

No. CIV S-08-2380 EFB P

VS.

D.K. SISTO, Warden,

Respondent.

ORDER

Petitioner is a state prisoner without counsel seeking a writ of habeas corpus. *See* 28

16 U.S.C. § 2254. He has requested that the court appoint counsel. There currently exists no
17 absolute right to appointment of counsel in habeas proceedings. *See Nevius v. Sumner*, 105 F.3d
18 453, 460 (9th Cir. 1996). The court may appointment counsel at any stage of the proceedings “if
19 the interests of justice so require.” *See* 18 U.S.C. § 3006A; *see also*, Rule 8(c), Rules Governing
20 Section 2254 Cases. The court does not find that the interests of justice would be served by the
21 appointment of counsel at this stage of the proceedings.

22 Accordingly, it hereby is ORDERED that petitioner's October 8, 2008, request for
23 appointment of counsel is denied without prejudice.

24 | DATED: January 14 ,2009.


EDMUND F. BRENNAN
UNITED STATES MAGISTRATE JUDGE