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

TONY WILSON,

Petitioner,

No. 2:08-cv-2885 MCE KJN P

vs.

JAMES A. YATES,

Respondent.

ORDER

_____/

Petitioner has requested the appointment of counsel. There currently exists no absolute right to appointment of counsel in habeas 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 the present case, the court does not find that the interests of justice would be served by the appointment of counsel at the present time.

Accordingly, IT IS HEREBY ORDERED that petitioner’s July 7, 2011 request for appointment of counsel is denied without prejudice.

DATED: July 25, 2011



KENDALL J. NEWMAN
UNITED STATES MAGISTRATE JUDGE

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