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

ROBERT TUNSTALL,

Plaintiff,

No. 2:08-cv-3176 WBS JFM (PC)

vs.

MIKE KNOWLES, et al.,

Defendants.

ORDER

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Plaintiff has requested the appointment of counsel. The United States Supreme Court has ruled that district courts lack authority to require counsel to represent indigent prisoners in § 1983 cases. Mallard v. United States Dist. Court, 490 U.S. 296, 298 (1989). In certain exceptional circumstances, the court may request the voluntary assistance of counsel pursuant to 28 U.S.C. § 1915(e)(1). Terrell v. Brewer, 935 F.2d 1015, 1017 (9th Cir. 1991); Wood v. Housewright, 900 F.2d 1332, 1335-36 (9th Cir. 1990). In the present case, the court does not find the required exceptional circumstances. Plaintiff’s motions for the appointment of counsel will therefore be denied.

Plaintiff has also moved for a court-appointed expert. There is nothing in the record that warrants such appointment at this time. Plaintiff’s motion will therefore be denied.

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1 In accordance with the above, IT IS HEREBY ORDERED that:

2 1. Plaintiff's April 2, 2010, July 8, 2010, and July 22, 2010 motions for the  
3 appointment of counsel are denied.

4 2. Plaintiff's April 2, 2010 motion for appointment of an expert is denied.

5 DATED: August 2, 2010.

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8 UNITED STATES MAGISTRATE JUDGE

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