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

BERNARD BARNES,

Petitioner,

No. 2:09-cv-0736 LKK JFM (PC)

vs.

KATHLEEN DICKINSON,

Respondent.

ORDER

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Petitioner is a state prisoner proceeding pro se with a petition for writ of habeas corpus pursuant to 28 U.S.C. § 2254. This action was dismissed on April 7, 2010 and judgment was entered on the same day. On July 13, 2010, petitioner’s motion for relief from judgment was denied. On July 14, 2010, petitioner filed a motion for 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.

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