

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26

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

KELVIN LANCE WILLIAMS,

Petitioner,

No. 2:09-cv-1612 FCD KJN P

vs.

S.M. SALINAS,

Respondent.

ORDER


\_\_\_\_\_ /

Petitioner has filed a second request for the appointment of counsel. Petitioner was informed, by order filed February 17, 2010, that 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.

///  
///  
///  
///

1                   Accordingly, IT IS HEREBY ORDERED that petitioner's April 30, 2010 request  
2 for appointment of counsel is denied without prejudice.

3 DATED: May 20, 2010

4  
5  
6                     
7                   KENDALL J. NEWMAN  
8                   UNITED STATES MAGISTRATE JUDGE

8 will1612.110

9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26