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| 8 | IN THE UNITED STATES DISTRICT COURT |
| 9 | FOR THE EASTERN DISTRICT OF CALIFORNIA |
| 10 | KENNETH LOPEZ, |
| 11 | Plaintiff, No. CIV S-09-1928 GEB GGH P |
| 12 | VS. |
| 13 | SUE HUBBARD, et al., |
| 14 | Defendants. <u>ORDER</u> |
| 15 | / |
| 16 | Plaintiff has requested the appointment of counsel. The United States Supreme |
| 17 | Court has ruled that district courts lack authority to require counsel to represent indigent |
| 18 | prisoners in § 1983 cases. Mallard v. United States Dist. Court, 490 U.S. 296, 298 (1989). In |
| 19 | certain exceptional circumstances, the court may request the voluntary assistance of counsel |
| 20 | pursuant to 28 U.S.C. § 1915(e)(1). Terrell v. Brewer, 935 F.2d 1015, 1017 (9th Cir. 1991); |
| 21 | Wood v. Housewright, 900 F.2d 1332, 1335-36 (9th Cir. 1990). In the present case, the court |
| 22 | does not find the required exceptional circumstances. Plaintiff's request for the appointment of |
| 23 | counsel will therefore be denied. |
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| 1 | Accordingly, IT IS HEREBY ORDERED that plaintiff's June 14, 2010, request |
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| 2 | for the appointment of counsel (Docket No. 55) is denied. |
| 3 | DATED: June 21, 2010 |
| 4 | /s/ Gregory G. Hollows |
| 5 | GREGORY G. HOLLOWS |
| 6 | UNITED STATES MAGISTRATE JUDGE |
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