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

ROMESH KANDA,

Plaintiff,

No. CIV S-09-2197 MCE GGH P

vs.

JAMES WALKER, et al.,

Defendants.

ORDER

_____/

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 request for the appointment of counsel will therefore be denied.

On February 12, 2010, plaintiff filed a request for extension of time to comply with defendants’ request for production of documents. Plaintiff alleges that he could not timely comply with the request because he was on lockdown status until February 2, 2010. Good cause

1 appearing, plaintiff is granted until March 12, 2010, to respond to defendants' request for
2 production of documents.

3 Accordingly, IT IS HEREBY ORDERED that:

4 1. Plaintiff's motion for the appointment of counsel (no. 32) is denied.

5 2. Plaintiff's motion for extension of time to respond to defendants' request for
6 production of documents (no. 31) is granted; plaintiff's response to defendants' request for
7 production of documents is due on or before March 12, 2010.

8 DATED: March 4, 2010

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10 /s/ Gregory G. Hollows

11 UNITED STATES MAGISTRATE JUDGE

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