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

TERRENCE BROWNLEE,

No. CIV S-09-2521-LKK-CMK-P

Petitioner,

vs.

ORDER

MIKE McDONALD,¹

Respondent.

_____ /

Petitioner, a state prisoner proceeding pro se, brings this petition for a writ of habeas corpus pursuant to 28 U.S.C. § 2254 challenging the denial of parole. Petitioner seeks the appointment of counsel (Doc. 24). 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 The Clerk of the Court will be directed to update the docket to reflect the correctly named respondent.

1 Accordingly, IT IS HEREBY ORDERED that petitioner's motion for appointment
2 of counsel (Doc. 24) is denied without prejudice to renewal, at the earliest, after an answer to the
3 petition has been filed.

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5 DATED: April 21, 2010

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7 **CRAIG M. KELLISON**
8 UNITED STATES MAGISTRATE JUDGE
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