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

TERRENCE BROWNLEE,

Petitioner,

No. CIV-S-09-2521 LKK DAD (TEMP) P

vs.

MIKE MCDONALD,

Respondent.

ORDER

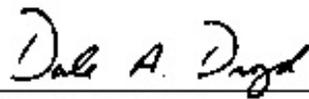
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Petitioner has requested the appointment of counsel. There currently exists no absolute right to appointment of counsel in habeas proceedings. See Nevius v. Sumner, 105 F.3d 453, 460 (9th Cir. 1996). However, 18 U.S.C. § 3006A authorizes the appointment 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. Moreover, on January 11, 2011, this case was closed pursuant to the district judge’s adoption of the magistrate judge’s findings and recommendations. There are, therefore, no proceedings before the court that could necessitate the appointment of counsel.

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1 Accordingly, IT IS HEREBY ORDERED that petitioner's request for
2 appointment of counsel (Docket No. 81) is denied.

3 DATED: January 14, 2011.

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6 _____
7 DALE A. DROZD
8 UNITED STATES MAGISTRATE JUDGE

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