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8 **IN THE UNITED STATES DISTRICT COURT**
9 **FOR THE EASTERN DISTRICT OF CALIFORNIA**
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11 GLYNN WARD,

No. CIV S-09-2542-CMK-P

12 Plaintiff,

13 vs.

ORDER

14 OROMDE, et al.,

15 Defendants.
16 _____/

17 Plaintiff, a prisoner proceeding pro se, brings this civil rights action pursuant to
18 42 U.S.C. § 1983. Pending before the court is plaintiff's motion for appointment of counsel
19 (Doc. 45). The United States Supreme Court has ruled that district courts lack authority to
20 require counsel to represent indigent prisoners in § 1983 cases. See Mallard v. United States
21 Dist. Court, 490 U.S. 296, 298 (1989). In certain exceptional circumstances, the court may
22 request the voluntary assistance of counsel pursuant to 28 U.S.C. § 1915(e)(1). See Terrell v.
23 Brewer, 935 F.2d 1015, 1017 (9th Cir. 1991); Wood v. Housewright, 900 F.2d 1332, 1335-36
24 (9th Cir. 1990). In the present case, the court does not at this time find the required exceptional
25 circumstances.

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1 Accordingly, IT IS HEREBY ORDERED that plaintiff's request for the
2 appointment of counsel (Doc. 45) is denied.

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4 DATED: September 1, 2011

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