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

MACK A. WEST., JR.,

Petitioner,

No. CIV S-09-3147 KJM DAD P

vs.

KATHLEEN DICKINSON,

Respondent.

ORDER

\_\_\_\_\_ /

Petitioner has filed his third request for an extension of time to file a traverse.  
Good cause appearing, the request will be granted.

Petitioner has also requested the appointment of counsel. As the court previously advised petitioner, 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.

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1 Accordingly, IT IS HEREBY ORDERED that:

2 1. Petitioner's motion for an extension of time (Doc. No. 70) is granted;

3 2. Petitioner is granted thirty days from the date of service of this order in which  
4 to file and serve a traverse; and

5 3. Petitioner's motion for appointment of counsel (Doc. No. 71) is denied.

6 DATED: November 22, 2011.

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DALE A. DROZD  
UNITED STATES MAGISTRATE JUDGE

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