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

FABIAN RODRIGUEZ,

Petitioner,

No. CIV-09-3205 GEB DAD P

vs.

M. MARTEL,

Respondent.

ORDER

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Petitioner has filed a second request for the appointment of counsel. As the court explained in its March 10, 2010 order, 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). Therefore, for the reasons explained in the court’s March 10 order, petitioner’s second request will be denied.

Accordingly, IT IS HEREBY ORDERED that petitioner’s April 14, 2010, request for appointment of counsel (Doc. No. 19) is denied.

DATED: May 6, 2010.

  
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DALE A. DROZD  
UNITED STATES MAGISTRATE JUDGE

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