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

DUNDELL WRIGHT,

Petitioner,

No. CIV S-09-3347 MCE EFB P

vs.

A. HEDGPETH,

Respondent.

ORDER

_____ /

Petitioner is a state prisoner without counsel seeking a writ of habeas corpus. *See* 28 U.S.C. § 2254. He has requested that the court appoint 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). The court may appoint counsel at any stage of the proceedings “if the interests of justice so require.” *See* 18 U.S.C. § 3006A; *see also*, Rule 8(c), Rules Governing Section 2254 Cases. The court does not find that the interests of justice would be served by the appointment of counsel at this stage of the proceedings.

With his motion to appoint counsel, petitioner filed an opposition to respondent’s June 24, 2011 motion to seal on the ground that respondent had not provided him with copies of the confidential documents to be filed under seal. Respondent subsequently filed a declaration of service showing that such documents have now been sent to petitioner. Dckt. No. 34.

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1 Accordingly, and because the court granted respondent's motion to seal on July 5, 2011, the
2 court will take no action in response to petitioner's opposition.

3 Accordingly, it hereby is ORDERED that petitioner's July 14, 2011 request for
4 appointment of counsel is denied without prejudice and the Clerk of the Court shall terminate
5 docket entry number 33.

6 DATED: July 20, 2011.


EDMUND F. BRENNAN
UNITED STATES MAGISTRATE JUDGE

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