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

SIMON F. RANTEESI,

Petitioner,

No. CIV S-10-0439 GEB GGH P

vs.

RANDY GROUNDS,

Respondent.

ORDER

_____ /

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 at the present time. This is petitioner’s fifth request for the appointment of counsel, all prior requests have been denied. The claims in this petition are straight forward and not complex. Also, the petition is now fully briefed, so it is not clear how counsel would be appropriate at this stage in the case.

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Accordingly, IT IS HEREBY ORDERED that:

1. Petitioner's August 2, 2011 request for appointment of counsel is denied;
2. Petitioner's June 1, 2011, motion is vacated.

DATED: August 29, 2011

/s/ Gregory G. Hollows
UNITED STATES MAGISTRATE JUDGE

GGH: AB
rant0439.110(5)