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

BILLY PAUL BIRDWELL, II.,

Plaintiff,

No. CIV S-10-0719 KJM GGH P

vs.

M. CATES, et al.,

Defendants.

ORDER

_____/

Plaintiff has requested the appointment of counsel. The United States Supreme Court has ruled that district courts lack authority to require counsel to represent indigent prisoners in § 1983 cases. Mallard v. United States Dist. Court, 490 U.S. 296, 298 (1989). In certain exceptional circumstances, the court may request the voluntary assistance of counsel pursuant to 28 U.S.C. § 1915(e)(1). Terrell v. Brewer, 935 F.2d 1015, 1017 (9th Cir. 1991); Wood v. Housewright, 900 F.2d 1332, 1335-36 (9th Cir. 1990). Plaintiff alleges that many defendants interfered with plaintiff’s ability to practice his religion, Odinism. This case does not contain complex matters of law, rather plaintiff states that he lacks sufficient training to properly conduct discovery and proceed to trial. Plaintiff’s lack of legal expertise is insufficient to warrant the appointment of counsel. As the court does not find the required exceptional circumstances plaintiff’s motion for the appointment of counsel will therefore be denied.

