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

10 FELIPE LOPEZ,

11 Petitioner,

No. CIV S-10-0873 DAD P

12 vs.

13 GARY SWARTHOUT, et al.,

14 Respondents.

ORDER

15 \_\_\_\_\_/  
16 Petitioner has requested the appointment of counsel. There currently exists no  
17 absolute right to appointment of counsel in habeas proceedings. See Nevius v. Sumner, 105 F.3d  
18 453, 460 (9th Cir. 1996). However, 18 U.S.C. § 3006A authorizes the appointment of counsel at  
19 any stage of the case “if the interests of justice so require.” See Rule 8(c), Fed. R. Governing  
20 § 2254 Cases. In the present case, the court does not find that the interests of justice would be  
21 served by the appointment of counsel at the present time. Accordingly, IT IS HEREBY  
22 ORDERED that petitioner’s June 29, 2010, request for appointment of counsel (Doc. No. 12) is  
23 denied without prejudice to a renewal of the motion at a later stage of the proceedings.

24 DATED: July 6, 2010.

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26 DAD:kly:sj  
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DALE A. DROZD  
UNITED STATES MAGISTRATE JUDGE