1	
2	
3	
4	
5	
6	
7	
8	IN THE UNITED STATES DISTRICT COURT
9	FOR THE EASTERN DISTRICT OF CALIFORNIA
10	MARIO FLAVIO GARCIA,
11	Petitioner, No. 2:10-cv-0968 GEB DAD P
12	VS.
13	KEN CLARK, Warden,
14	Respondents. <u>ORDER</u>
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.
22	In addition, petitioner has filed a request for an extension of time to file objections
23	to the court's September 19, 2012 findings and recommendations recommending that his petition
24	for federal habeas relief be denied. Good cause appearing, the request will be granted.
25	
26	
	1

1	Accordingly, IT IS HEREBY ORDERED that:
2	1. Petitioner's October 3, 2012, request for appointment of counsel (Docket No.
3	133) is denied;
4	2. Petitioner's October 3, 2012 request for an extension of time (Docket No. 132)
5	is granted; and
6	3. Petitioner is granted thirty days from the date of this order in which to file
7	objections to the September 19, 2012 findings and recommendations.
8	DATED: October 9, 2012.
9	2
10	Dale A. Droget
11	UNITED STATES MAGISTRATE JUDGE
12	
13	DAD:md garc0968.110+111
14	
15	
16	
17	
18	
19	
20	
21	
22	
23	
24	
25	
26	
	2

I