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

LACY MITCHELL,

Plaintiff,

No. 2:10-cv-01829-KJM-DAD P

vs.

WILLIAMS, 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). In the present case, the court does not find the required exceptional circumstances. Plaintiff’s request for the appointment of counsel will therefore be denied.

Plaintiff also requests that this action be stayed until March 2013, to enable him to obtain assistance with “his social, medical and legal endeavors” following his anticipated release from custody. (Doc. No. 39 at 2.) The court will not order a stay of these proceedings.

1 However, plaintiff may request an extension of time to comply with court deadlines should  
2 additional time be needed. In any request for an extension of time, plaintiff must explain why he  
3 has been unable to comply with the court's order or the deadline, and the amount of additional  
4 time being requested.

5 Accordingly, IT IS HEREBY ORDERED that plaintiff's October 29, 2012 request  
6 for the appointment of counsel and stay of this case (Doc. No. 39) is denied.

7 DATED: November 8, 2012.

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DALE A. DROZD  
11 UNITED STATES MAGISTRATE JUDGE

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