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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, a state prisoner proceeding pro se with a civil rights action, has requested appointment of a medical expert on his behalf as well as the appointment of counsel.

The expenditure of public funds on behalf of an indigent litigant is proper only when authorized by Congress. Tedder v. Odel, 890 F.2d 210 (9th Cir. 1989). The in forma pauperis statute does not authorize the expenditure of public funds for medical experts. See 28 U.S.C. § 1915. Therefore, plaintiff’s request for the appointment of a medical expert will be denied at this time. Also, for the reasons stated in the court’s November 9, 2012 order, plaintiff’s request for the appointment of counsel will again be denied. Circumstances common to most prisoners, such as lack of legal education and limited law library access, do not establish exceptional circumstances that would warrant a request for voluntary assistance of counsel.

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1                   Accordingly, IT IS HEREBY ORDERED that plaintiff's November 20, 2012  
2 motion for appointment of a medical expert and appointment of counsel (Doc. No. 42) is denied  
3 at this time without prejudice.

4 DATED: November 26, 2012.

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8                   DALE A. DROZD  
9                   UNITED STATES MAGISTRATE JUDGE

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