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

CLARK ROBINSON,

Petitioner,

No. CIV-S-10-2089 LKK CMK (TEMP) P

vs.

MATTHEW CATE,

Respondent.

ORDER

_____/

Petitioner has requested an extension of time to file a traverse. Good cause appearing, that request will be granted. Petitioner has also requested the appointment of counsel. There currently exists no absolute right to appointment of counsel in habeas proceedings. See Nevius v. Sumner, 105 F.3d 453, 460 (9th Cir. 1996). However, 18 U.S.C. § 3006A authorizes the appointment of counsel at any stage of the case “if the interests of justice so require.” See Rule 8(c), Fed. R. Governing § 2254 Cases. In the present case, the court does not find that the interests of justice would be served by the appointment of counsel at the present time.

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1 Accordingly, IT IS HEREBY ORDERED that:

2 1. Petitioner's request for an extension of time (Docket No. 20) is granted;

3 2. Petitioner is granted up to and including April 25, 2011, in which to file a
4 response to the answer to the petition; and

5 3. Petitioner's request for the appointment of counsel is denied.

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7 DATED: April 5, 2011

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9 **CRAIG M. KELLISON**
UNITED STATES MAGISTRATE JUDGE

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