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

LEON WILSON CROCKETT,

Petitioner,

No. CIV S-10-2296 JAM GGH P

vs.

R. BARNES,

Respondent.

ORDER

_____ /

Petitioner has 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. Petitioner just filed a traverse and this habeas petition is now fully briefed. Upon reviewing the petition, if the court believes counsel is warranted, then an appointment shall be made. At the present time, the court does not find that the interests of justice would be served by the appointment of counsel.

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Accordingly, IT IS HEREBY ORDERED that petitioner's December 23, 2011
request for appointment of counsel (Docket No. 41) is denied.

DATED: January 3, 2012

/s/ Gregory G. Hollows
UNITED STATES MAGISTRATE JUDGE

GGH: AB
croc2296.110