

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26

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

RANDALL W. GRIMES,

Plaintiff,

No. 2:10-cv-2346 WBS JFM (PC)

vs.

FOLSOM STATE PRISONS  
PSYCHIATRIC SERVICES UNIT  
MEDICAL STAFF, DR.  
M. BOBALLA, 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 motion for the appointment of counsel will therefore be denied.

////

////

1                   Accordingly, IT IS HEREBY ORDERED that plaintiff's March 25, 2013 motion  
2 for the appointment of counsel (ECF No. 53) is denied.

3 DATED: April 23, 2013.

4  
5                     
6                   \_\_\_\_\_  
7 ALLISON CLAIRE  
8 UNITED STATES MAGISTRATE JUDGE

9 /mp  
grim2346.31(2)

10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26