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

GEORGE M. PASION,

Plaintiff,

No. CIV S-10-3227 GGH P

vs.

JOHN A. HAVILAND, 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. This case proceeds against one defendant who allegedly retaliated against plaintiff. Plaintiff alleges that the defendant told him to withdraw a complaint and when plaintiff refused, he was placed in administrative segregation. The facts of this case are rather straightforward and do not warrant the appointment of counsel.

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