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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 is a prison inmate proceeding pro se and in forma pauperis with a civil rights action. On February 15, 2012, plaintiff filed his third request for the appointment of counsel. Plaintiff's previous requests were filed on December 2, 2010, and August 1, 2011. All requests were previously denied. 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).

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

1 refused, he was placed in administrative segregation. The facts of this case are rather
2 straightforward and do not warrant the appointment of counsel.¹

3 Plaintiff has also requested a 30 day extension to conduct discovery, which ended
4 on February 17, 2012. Plaintiff states that due to limited access to the law library and his limited
5 knowledge of the law an extension is needed. However, plaintiff fails to state specifically why
6 he needs an extension, what additional discovery he requires, why it is relevant and why he was
7 unable to request them during the three months of discovery. The motion is denied.

8 Accordingly, IT IS HEREBY ORDERED that:

- 9 1. Plaintiff's February 15, 2012, (Docket No. 30) request for counsel is denied;
10 2. Plaintiff's motion for an extension (Docket No. 32) is denied.

11 DATED: March 6, 2012

12 /s/ Gregory G. Hollows
13 UNITED STATES MAGISTRATE JUDGE

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¹ Plaintiff has also requested that a deposition be postponed until counsel is appointed, but the deposition has since been taken, therefore the request will be disregarded.