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

ZACHARY T. HARRIS, SR.,

Petitioner,

No. 2:11-cv-0301 GEB JFM (HC)

vs.

CULLEN,

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. 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.

Also, petitioner has filed a request for an extension of time to file a traverse. Good cause appearing, the request will be granted.

Accordingly, IT IS HEREBY ORDERED that:

1. Petitioner’s September 13, 2011, request for appointment of counsel is denied without prejudice to a renewal of the motion at a later stage of the proceedings;

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2. Petitioner's September 13, 2011 request for an extension of time is granted;

and

3. Petitioner is granted thirty days from the date of this order in which to file and serve a traverse.

DATED: September 19, 2011.

  
UNITED STATES MAGISTRATE JUDGE

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