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

JOSEPH MARPEL,

Plaintiff,

No. 2:11-cv-0387 KJN P

vs.

SAUKHLA, 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 Section 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, at the present time. Therefore, plaintiff's request for the appointment of counsel is denied without prejudice.

Plaintiff should promptly comply with the order of this court filed February 22, 2001 (Dkt. No. 4), which requires plaintiff to submit to the court the documents and information necessary to serve process on defendants Bick and Saukhla. The deadline for such compliance is


1 hereby extended to April 15, 2011.

2 Accordingly, IT IS HEREBY ORDERED that:

3 1. Plaintiff's March 10, 2011 request for the appointment of counsel (Dkt. No. 8)
4 is denied without prejudice; and

5 2. The time for complying with this court's order filed February 22, 2011 (Dkt.
6 No. 4) is extended to April 15, 2011.

7 DATED: March 22, 2011

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9 
10 KENDALL J. NEWMAN
UNITED STATES MAGISTRATE JUDGE

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