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

GREGORY A. CHANDLER,

Petitioner,

No. CIV S-11-0567 JAM GGH P

vs.

GREG LEWIS,

Respondent.

ORDER

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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. There is little prospect of an evidentiary hearing in that the issues here are legal, not factual in nature. The legal issues are fairly articulated by both sides.

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Accordingly, IT IS HEREBY ORDERED that petitioner's July 8, 2011 request for appointment of counsel (Docket No. 19) is denied.

DATED: July 14, 2011

/s/ Gregory G. Hollows  
UNITED STATES MAGISTRATE JUDGE

GGH:md  
chan0567.110(2)