

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26

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

MICHAEL R. DELARM,

Petitioner,

No. CIV-S-11-0750 CKD P

vs.

M.D. MCDONALD,

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.

/////
/////
/////
/////
/////

1 Accordingly, IT IS HEREBY ORDERED that petitioner's April 20, 2011 and
2 April 22, 2011 requests for appointment of counsel are denied without prejudice to a renewal of
3 the motion at a later stage of the proceedings.

4
5
6 Dated: August 7, 2011



CAROLYN K. DELANEY
UNITED STATES MAGISTRATE JUDGE

7
8
9
10
11 ¹
12 dela0750.111
13
14
15
16
17
18
19
20
21
22
23
24
25
26