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8	IN THE UNITED STATES DISTRICT COURT
9	FOR THE EASTERN DISTRICT OF CALIFORNIA
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11	PHILLIP ARTHUR THOMPSON, No. CIV S-11-1318-CMK-P
12	Petitioner,
13	vs. <u>ORDER</u>
14	KATHLEEN DICKINSON,
15	Respondents.
16	/
17	Petitioner, a state prisoner proceeding pro se, brings this petition for a writ of
18	habeas corpus pursuant to 28 U.S.C. § 2254. Pending before the court is petitioner's motion to
19	proceed in forma pauperis (Doc. 5). However, the court has also received the full filing fee from
20	petitioner, rendering his motion unnecessary.
21	Petitioner also seeks the appointment of counsel (Doc. 6). There currently exists
22	no absolute right to appointment of counsel in habeas proceedings. See Nevius v. Sumner, 105
23	F.3d 453, 460 (9th Cir. 1996). However, 18 U.S.C. § 3006A authorizes the appointment of
24	counsel at any stage of the case "if the interests of justice so require." See Rule 8(c), Fed. R.
25	Governing § 2254 Cases. In the present case, the court does not find that the interests of justice
26	would be served by the appointment of counsel at the present time.
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1	Accordingly, IT IS HEREBY ORDERED that:
2	 Petitioner's motion to proceed in forma pauperis (Doc. 5) is denied as
2	unnecessary; and
4	2. Petitioner's motion for appointment of counsel (Doc. 6) is denied without
5	prejudice to renewal, at the earliest, after a response to the petition has been filed.
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8	DATED: October 11, 2011
9	CRAIG M. KELLISON UNITED STATES MAGISTRATE JUDGE
10	UNITED STATES MADISTRATE JUDGE
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