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UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA

RICHARD DEWAYNE BASSETT,  
Petitioner,  
v.  
MIKE McDONALD, Warden, et al.,  
Respondents.

No. 2:11-cv-1592 TLN AC P

ORDER


The answer in this habeas proceeding was filed on November 14, 2013. A first extension of time to file a traverse was granted on January 7, 2014, in response to petitioner’s claims that he had been separated from his property and denied law library access. ECF No. 47. On March 20, 2014, petitioner was granted another extension of time, and cautioned that failure to file a traverse within thirty days would result in the matter being deemed submitted. ECF No. 50. No traverse having been filed, the case has been submitted for decision since April 21, 2014.

On August 14, 2014, nearly four months later, petitioner filed a belated request for 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.

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Accordingly, IT IS HEREBY ORDERED that petitioner's untimely request for appointment of counsel, ECF No. 51, is DENIED.

DATED: October 21, 2014

  
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ALLISON CLAIRE  
UNITED STATES MAGISTRATE JUDGE