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UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

MACK A. WEST,
Plaintiff,
v.
RYAN PETTIGREW, et al.,
Defendants.

No. 2:11-cv-1692 JAM CKD P

ORDER

Plaintiff has requested the appointment of counsel. (ECF No. 105.) The United States Supreme Court has ruled that district courts lack authority to require counsel to represent indigent prisoners in § 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. Plaintiff's request for the appointment of counsel will therefore be denied.

Plaintiff has also requested a twenty-one day extension of time to file a motion to compel pursuant to the court's order of October 28, 2013. (ECF No. 106.) Good cause appearing, plaintiff's motion is granted.

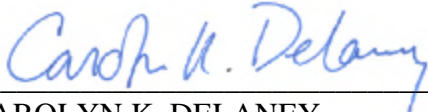
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IT IS HEREBY ORDERED that:

1. Plaintiff's December 2, 2013 motion for the appointment of counsel (ECF No. 105) is denied;
2. Plaintiff's December 2, 2013 motion for an extension of time (ECF No. 106) is granted; and
3. Plaintiff is granted twenty-one days from the date of this order in which to file a motion to compel.

Dated: December 5, 2013



CAROLYN K. DELANEY
UNITED STATES MAGISTRATE JUDGE

/mp; west1692.31(2)