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UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

MERRICK MOORE,
Plaintiff,
v.
L. GONZALEZ, et al.,
Defendants.

No. 2:11-cv-3273 AC P

ORDER

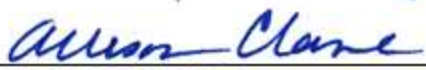
Plaintiff has requested the appointment of counsel. The United States Supreme Court has ruled that district courts lack authority to require counsel to represent indigent prisoners in § 1983 cases. Mallard v. United States Dist. Court, 490 U.S. 296, 298 (1989). In certain exceptional circumstances, the 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 pro se has demonstrated an adequate grasp of the issues and has exhibited enough knowledge of his case such that appointment of counsel is not warranted.¹ Plaintiff's request for the appointment of counsel will therefore be denied.

¹ Plaintiff names a particular individual he wishes to proceed as his counsel. If plaintiff seeks to retain Brandon H. Story as his counsel, a notice of substitution in accordance with L.R. 182(g) may be filed.

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Accordingly, IT IS HEREBY ORDERED that plaintiff's request for the appointment of counsel (ECF No. 79) is denied.

DATED: September 30, 2013



ALLISON CLAIRE
UNITED STATES MAGISTRATE JUDGE

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