

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

ISAAH DUPRI BARRON,

Petitioner,

No. 2:12-0491 WBS DAD P

vs.

MARTIN BITER,

Respondent.

ORDER

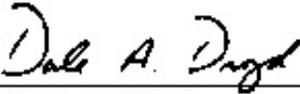
\_\_\_\_\_ /

Petitioner is a state prisoner proceeding pro se with an application for a writ of habeas corpus pursuant to 28 U.S.C. § 2254. On June 20, 2012, petitioner filed a motion 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 at the present time.

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

1                   Accordingly, IT IS HEREBY ORDERED that petitioner's June 20, 2012 motion  
2 request for appointment of counsel (Docket No. 17) is denied without prejudice.

3 DATED: July 3, 2012.

4  
5                     
6                   \_\_\_\_\_  
7                   DALE A. DROZD  
8                   UNITED STATES MAGISTRATE JUDGE

8 DAD:12:kly  
9 barr0491.110

10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26