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IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA

PAUL N. SPOHN,

Plaintiff,

No. 2:12-cv-0565 KJM CKD P

vs.

TRINITY COUNTY DISTRICT  
ATTORNEY'S OFFICE, et al.,

Defendants.

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's motion for the appointment of counsel will therefore be denied.

Plaintiff has also attached numerous documents to his letter filed June 12, 2012. Plaintiff is advised that the court will consider any documents submitted along with a First Amended Complaint as directed in its June 12, 2012 order. (Dkt. No. 9.) However, documents

1 not submitted in conjunction with an amended complaint will not be considered in the screening  
2 of that complaint pursuant to 28 U.S.C. § 1915(a).

3           Accordingly, IT IS HEREBY ORDERED that plaintiff's June 12, 2012 motion for  
4 the appointment of counsel (Docket No. 11) is denied.

5 Dated: June 18, 2012

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8 CAROLYN K. DELANEY  
9 UNITED STATES MAGISTRATE JUDGE

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11 <sup>2</sup>  
12 spoh0565.31(2)