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UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF CALIFORNIA

KESHAWN HOPKINS,  
Plaintiff,  
v.  
CDCR, et al.,  
Defendants.

No. 2:12-cv-896-TLN-EFB P

**ORDER**

Plaintiff Keshawn Hopkins (“Plaintiff”) is a state prisoner proceeding without counsel in an action brought under 42 U.S.C. § 1983. Plaintiff has made numerous requests that the Court appoint counsel (*see* ECF Nos. 22, 32, 47, 66). These requests have been considered and denied by Magistrate Judge Brennan (*see* ECF Nos. 23, 33, 48, 67). Consequently, Plaintiff has appealed the order denying his most recent request. (*See* ECF No. 68.)

As Plaintiff has been previously informed, district courts lack authority to require counsel to represent indigent prisoners in section 1983 cases. *Mallard v. United States Dist. Court*, 490 U.S. 296, 298 (1989). In exceptional circumstances, the court may request an attorney to voluntarily represent such a plaintiff. *See* 28 U.S.C. § 1915(e)(1); *Terrell v. Brewer*, 935 F.2d 1015, 1017 (9th Cir. 1991). In determining whether “exceptional circumstances” exist, the court must consider the likelihood of success on the merits as well as the ability of the plaintiff to articulate his claims pro se in light of the complexity of the legal issues involved. *Palmer v.*

1 Valdez, 560 F.3d 965, 970 (9th Cir. 2009).

2 This Court agrees with Magistrate Judge Brennan's finding that no exceptional  
3 circumstances exist warranting the appointment of counsel. Accordingly, Plaintiff's Motion for  
4 Appointment of Counsel (ECF No. 68) is hereby DENIED.

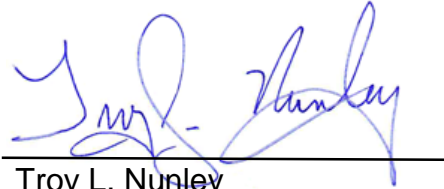
5 IT IS SO ORDERED.

6 Dated: July 3, 2014

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Troy L. Nunley  
United States District Judge

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