

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

WALTER SHANE LANGSTON,
Petitioner,
v.
GARY SWARTHOUT,
Respondent.

No. 2:12-cv-1633 CKD P

ORDER

Petitioner has requested the 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.

|||||

11111

11111

11111

1111

```html

11111

```

1 Accordingly, IT IS HEREBY ORDERED that petitioner's motion for appointment of
2 counsel (ECF No. 61) is denied without prejudice to a renewal of the motion at a later stage of the
3 proceedings.

4 Dated: November 7, 2014

Carolyn K. Delaney

5 CAROLYN K. DELANEY
6 UNITED STATES MAGISTRATE JUDGE

7
8
9 1/mp
10 lang1633.110(2)

11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28