

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

MICHAEL PARIS,

Plaintiff, No. 2:12-cv-2383 MCE CKD E

VS.

E. BRAZIL, et al.,

Defendants. ORDER

Plaintiff has requested the appointment of counsel. The United States Supreme Court has held that district courts lack authority to require counsel to represent indigent defendants in 1983 cases. Mallard v. United States Dist. Court, 490 U.S. 296, 298 (1989). In exceptional circumstances, the court may request the voluntary assistance of counsel under 28 U.S.C. § 1915(e)(1). Terrell v. Brewer, 935 F.2d 1015, 1017 (9th Cir. 1991); McFlew v. Wright, 900 F.2d 1332, 1335-36 (9th Cir. 1990). In the present case, the court finds that the plaintiff has not established the required exceptional circumstances. Plaintiff's request for the appointment of counsel, therefore, is denied.

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1                   Accordingly, IT IS HEREBY ORDERED that plaintiff's request for the  
2 appointment of counsel (Docket No. 17) is denied.

3                   Dated: April 2, 2013

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5                   CAROLYN K. DELANEY  
6                   UNITED STATES MAGISTRATE JUDGE

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