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8 IN THE UNITED STATES DISTRICT COURT

9 FOR THE EASTERN DISTRICT OF CALIFORNIA

10 JERRY WAYNE GENTRY,

11 Petitioner,

No. 2:13-cv-0142 KJN P

12 vs.

13 RANDY GROUNDS,

14 Respondent.

ORDER

15 _____ /
16 Petitioner requested the appointment of counsel. There currently exists no
17 absolute right to appointment of counsel in habeas proceedings. See Nevius v. Sumner, 105 F.3d
18 453, 460 (9th Cir. 1996). However, 18 U.S.C. § 3006A authorizes the appointment of counsel at
19 any stage of the case “if the interests of justice so require.” See Rule 8(c), Fed. R. Governing
20 § 2254 Cases. In the present case, the court does not find that the interests of justice would be
21 served by the appointment of counsel at the present time.

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

4 DATED: February 1, 2013

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6 KENDALL J. NEWMAN
UNITED STATES MAGISTRATE JUDGE

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