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

ANTHONY R. MEDINA,

Plaintiff,

No. 2:13-cv-0458 EFB P

vs.

BARACK OBAMA, et al.,

Defendants.

ORDER

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Plaintiff is a state prisoner proceeding without counsel. He appears to request that the court appoint counsel. To the extent plaintiff intends to proceed with an action filed pursuant to 42 U.S.C. § 1983, he is informed that district courts lack authority to require counsel to represent indigent prisoners in such cases. *Mallard v. United States Dist. Court*, 490 U.S. 296, 298 (1989). In exceptional circumstances, the court may request an attorney to voluntarily to represent such a plaintiff. *See* 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). When 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. Valdez*, 560 F.3d 965, 970 (9th Cir. 2009).

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1 Having considered those factors, the court finds there are no exceptional circumstances in this  
2 case.

3 Accordingly, IT IS HEREBY ORDERED that plaintiff's request for appointment of  
4 counsel, Dckt. No. 4, is denied.

5 DATED: March 22, 2013.

  
6 EDMUND F. BRENNAN  
7 UNITED STATES MAGISTRATE JUDGE  
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