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

10 STEVEN R. SMITH,

11 Petitioner,

No. 2:13-cv-0605 KJN P

12 vs.

13 UNITED STATES DISTRICT COURT,

14 Respondent.

ORDER

15 _____ /
16 Petitioner has 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.

22 Accordingly, IT IS HEREBY ORDERED that petitioner’s request for
23 appointment of counsel (dkt. no. 2) is denied without prejudice.

24 DATED: April 3, 2013

25 
KENDALL J. NEWMAN
UNITED STATES MAGISTRATE JUDGE

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