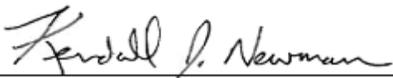


1 circumstances is on the plaintiff. Id. Circumstances common to most prisoners, such as lack of
2 legal education and limited law library access, do not establish exceptional circumstances that
3 warrant a request for voluntary assistance of counsel.

4 Having considered the factors under Palmer, the court finds that plaintiff has failed to
5 meet his burden of demonstrating exceptional circumstances warranting the appointment of
6 counsel at this time.

7 Accordingly, IT IS HEREBY ORDERED that plaintiff's second motion for the
8 appointment of counsel (ECF No. 101) is denied without prejudice.

9 Dated: October 18, 2016

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11 _____
12 KENDALL J. NEWMAN
13 UNITED STATES MAGISTRATE JUDGE

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