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8   UNITED STATES DISTRICT COURT

9   FOR THE EASTERN DISTRICT OF CALIFORNIA

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11   LLOYD M. THOMAS,   No. 2:13-cv-1645 CKD P

12   Petitioner,

13   v.   ORDER

14   GARY SWARTHOUT,

15   Respondent.

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17   Petitioner has requested the appointment of counsel. There currently exists no absolute

18   right to appointment of counsel in habeas proceedings. See Nevius v. Sumner, 105 F.3d 453, 460

19   (9th Cir. 1996). However, 18 U.S.C. § 3006A authorizes the appointment of counsel at any stage

20   of the case "if the interests of justice so require." See Rule 8(c), Fed. R. Governing § 2254 Cases.

21   In the present case, the court does not find that the interests of justice would be served by the

22   appointment of counsel at the present time.

23   Petitioner has also requested that the court order the Superior Court of San Joaquin

24   County to provide petitioner with certain transcripts from his trial. If petitioner seeks copies of

25   transcripts, he should request them directly from the Superior Court of San Joaquin County.
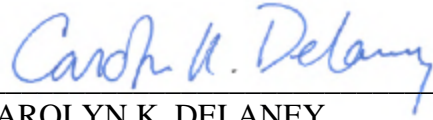
26   Accordingly, IT IS HEREBY ORDERED that:

27   1. Petitioner's request for appointment of counsel (ECF No. 10) is denied without

28   prejudice to a renewal of the motion at a later stage of the proceedings.

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1   2. Petitioner's "request for production of competency proceeding transcripts" (ECF No.

2 11) is denied.

3 Dated: October 2, 2013

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CAROLYN K. DELANEY
UNITED STATES MAGISTRATE JUDGE