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8 UNITED STATES DISTRICT COURT  
9 FOR THE EASTERN DISTRICT OF CALIFORNIA  
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11 BRICE A. PEELER,

12 Plaintiff,

13 v.

14 MACHADO, et al.,

15 Defendants.  
16

No. 2:13-cv-2429 TLN CKD P

ORDER

17 Plaintiff has requested the appointment of counsel. The United States Supreme Court has  
18 ruled that district courts lack authority to require counsel to represent indigent prisoners in § 1983  
19 cases. Mallard v. United States Dist. Court, 490 U.S. 296, 298 (1989). In certain exceptional  
20 circumstances, the court may request the voluntary assistance of counsel pursuant to 28 U.S.C. §  
21 1915(e)(1). Terrell v. Brewer, 935 F.2d 1015, 1017 (9th Cir. 1991); Wood v. Housewright, 900  
22 F.2d 1332, 1335-36 (9th Cir. 1990). In the present case, the court does not find the required  
23 exceptional circumstances. Accordingly, IT IS HEREBY ORDERED that plaintiff's request for  
24 the appointment of counsel (ECF No. 45) is denied.

25 Dated: March 26, 2015

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27 CAROLYN K. DELANEY  
28 UNITED STATES MAGISTRATE JUDGE