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UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA

DEXTER BROWN,  
Plaintiff,  
v.  
SAHIR NASEER, et al.,  
Defendants.

No. 2:14-cv-0225 WBS CKD P

ORDER

Plaintiff has requested the appointment of counsel. The United States Supreme Court has ruled that district courts lack authority to require counsel to represent indigent prisoners in § 1983 cases. Mallard v. United States Dist. Court, 490 U.S. 296, 298 (1989). In certain exceptional circumstances, the court may request the voluntary assistance of counsel pursuant to 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). In the present case, the court does not find the required exceptional circumstances. Plaintiff’s request for the appointment of counsel will therefore be denied.

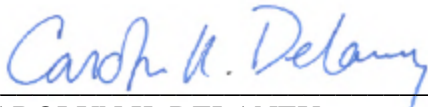
Plaintiff also asks the court to appoint plaintiff an expert witness to analyze his food for poison. This is not an appropriate request. If plaintiff believes there are problems with his food, he should utilize the inmate grievance process at his institution.

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Accordingly, IT IS HEREBY ORDERED that plaintiff's request for the appointment of counsel and expert witness (ECF No. 54 & 57) is denied.

Dated: January 29, 2016

  
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CAROLYN K. DELANEY  
UNITED STATES MAGISTRATE JUDGE

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