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7	UNITED STATES DISTRICT COURT	
8	FOR THE EASTERN DISTRICT OF CALIFORNIA	
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10	ERIC MORA,	No. 2:14-cv-0581-EFB
11	Plaintiff,	
12	v.	<u>ORDER</u>
13	ZACK EATON, et al., <sup>1</sup>	
14	Defendant.	
15		
16	Plaintiff is a state prisoner proceeding without counsel in an action brought under 42	
17	U.S.C. § 1983. He requests that the court appoint counsel. District courts lack authority to	
18	require counsel to represent indigent prisoner	rs in section 1983 cases. Mallard v. United States
19	Dist. Court, 490 U.S. 296, 298 (1989). In ex	ceptional circumstances, the court may request an
20	attorney to voluntarily to represent such a plaintiff. See 28 U.S.C. § 1915(e)(1); Terrell v.	
21	Brewer, 935 F.2d 1015, 1017 (9th Cir. 1991)	; Wood v. Housewright, 900 F.2d 1332, 1335-36 (9th
22	Cir. 1990). When determining whether "exce	eptional circumstances" exist, the court must
23	consider the likelihood of success on the mer	its as well as the ability of the plaintiff to articulate
24	his claims pro se in light of the complexity of	f the legal issues involved. Palmer v. Valdez, 560
25	F.3d 965, 970 (9th Cir. 2009). Having considered those factors, the court finds there are no	
26	exceptional circumstances in this case.	
27	<sup>1</sup> The Clark is directed to undete the s	case caption to reflect "Zack Eaton, et. al.," as
28	defendants.	ase capiton to refield Zack Eaton, et. al., as

1	Accordingly, IT IS HEREBY ORDERED that plaintiff's request for appointment of
2	counsel (ECF No. 26) is denied.
3	DATED: June 27, 2016.
4	EDMUND F. BRENNAN UNITED STATES MAGISTRATE JUDGE
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