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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 KJM DB P
11	Plaintiff,	
12	v.	<u>ORDER</u>
13	EATON, et al.,	
14	Defendants.	
15		
16	Plaintiff, a state prisoner proceeding pro se with a civil rights action, has requested	
17	appointment of counsel. Plaintiff primarily argues that he has extremely limited access to the law	
18	library.	
19	The United States Supreme Court has ruled that district courts lack authority to require	
20	counsel to represent indigent prisoners in § 1983 cases. Mallard v. United States Dist. Court, 490	
21	U.S. 296, 298 (1989). In certain exceptional circumstances, the district court may request the	
22	voluntary assistance of counsel pursuant to 28 U.S.C. § 1915(e)(1). Terrell v. Brewer, 935 F.2d	
23	1015, 1017 (9th Cir. 1991); Wood v. Housewright, 900 F.2d 1332, 1335-36 (9th Cir. 1990).	
24	The test for exceptional circumstances requires the court to evaluate the plaintiff's	
25	likelihood of success on the merits and the ability of the plaintiff to articulate his claims pro se in	
26	light of the complexity of the legal issues involved. See Wilborn v. Escalderon, 789 F.2d 1328,	
27	1331 (9th Cir. 1986); Weygandt v. Look, 718 F.2d 952, 954 (9th Cir. 1983). Circumstances	
28	common to most prisoners, such as lack of legal education and limited law library access, do not	

counsel. In the present case, the court does not find the required exceptional circumstances. Currently, the only deadline plaintiff has in this case is filing any objections to the court's Findings and Recommendations, which were filed on June 27, 2018. The court granted plaintiff's request for an extension of time and those objections are due to be placed in the mail on September 12, 2018. (ECF No. 67.) If plaintiff requires additional time to file objections due to his limited library access, he may seek another extension of time. Accordingly, IT IS HEREBY ORDERED that plaintiff's motion for the appointment of counsel (ECF No. 68) is denied. UNITED STATES MAGISTRATE JUDGE DB/prisoner-civil rights/mora0581.31(2)