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8 UNITED STATES DISTRICT COURT
9 FOR THE EASTERN DISTRICT OF CALIFORNIA
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11 ANTHONY JAMA HALL, et al.,

No. 2:14-cv-745-KJM-EFB PS

12 Plaintiffs,

13 v.

ORDER

14 CALIFORNIA DEPARTMENT OF
15 SOCIAL SERVICES, et al.,

16 Defendants.
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18 On May 5, 2015, the court screened plaintiff's original complaint. The complaint was
19 dismissed, and plaintiff was granted 30 days to file an amended complaint. ECF No. 12. On June
20 1, 2015, plaintiff filed a motion for appointment of counsel and a request an extension of time to
21 file an amended complaint and a motion to reconsider the May 5, 2015 screening order. *Id.* ECF
22 No. 14.

23 28 U.S.C. § 1915(e)(1) authorizes the appointment of counsel to represent an indigent
24 civil litigant in certain exceptional circumstances. *See Terrell v. Brewer*, 935 F.2d 1015, 1017
25 (9th Cir.1991); *Wood v. Housewright*, 900 F.2d 1332, 1335–36 (9th Cir.1990); *Richards v.*
26 *Harper*, 864 F.2d 85, 87 (9th Cir.1988). In considering whether exceptional circumstances exist,
27 the court must evaluate (1) the plaintiff's likelihood of success on the merits; and (2) the ability of
28 the plaintiff to articulate his claims pro se in light of the complexity of the legal issues involved.

1 *Terrell*, 935 F.2d at 1017. The court cannot conclude that plaintiff's likelihood of success, the
2 complexity of the issues, or the degree of plaintiff's ability to articulate his claims amount to
3 exceptional circumstances justifying the appointment of counsel at this time.

4 Accordingly, it is hereby ORDERED that:

- 5 1. Plaintiff's request for appointment of counsel is denied;
- 6 2. Plaintiff's request for an extension of time (ECF No. 14) is granted; and
- 7 3. Plaintiff shall file an amended complaint and his motion for reconsideration within
8 thirty days from the date of service of this order. The amended complaint must bear the docket
9 number assigned to this case and must be labeled "First Amended Complaint." Failure to timely
10 file an amended complaint in accordance with the April 5, 2015 order will result in a
11 recommendation that this action be dismissed.

12 DATED: June 17, 2015.

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14 EDMUND F. BRENNAN
15 UNITED STATES MAGISTRATE JUDGE
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