

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

ABRAHAM TUMANYAN,
Plaintiff,
v.
J. McCOMBER, et al.,
Defendant

No. 2:14-cv-2411 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 at this time. Plaintiff's request for the appointment of counsel will therefore be denied without prejudice to renewal at a later stage of this litigation.

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1 Accordingly, IT IS HEREBY ORDERED that plaintiff's request for the appointment of
2 counsel (ECF No. 23) is denied without prejudice to renewal.

3 Dated: January 22, 2015

Carolyn K. Delaney

4 CAROLYN K. DELANEY
5 UNITED STATES MAGISTRATE JUDGE

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