

1 issues involved. See Terrell, 935 F.2d at 1017. Neither factor is dispositive and both must be
2 viewed together before reaching a decision. See id.

3 In the present case, the court does not at this time find the required exceptional
4 circumstances. First, plaintiff has demonstrated an ability to articulate his claims on his own.
5 Second, the legal question involved – whether defendants were deliberately indifferent to a
6 serious medical need – is not particularly complex. Finally, while plaintiff has articulated
7 coherent claims and has the possibility of prevailing, the court cannot say at this early stage of the
8 proceedings that plaintiff is likely to prevail.

9 Accordingly, IT IS HEREBY ORDERED that plaintiff’s request for the
10 appointment of counsel (Doc. 4) is denied.

11
12 DATED: February 12, 2016

13 
14 **CRAIG M. KELLISON**
15 UNITED STATES MAGISTRATE JUDGE
16
17
18
19
20
21
22
23
24
25
26