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UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

JOSHUA BLOCKER,
Petitioner,
v.
J. SOTO, Warden,
Respondent.

No. 2:15-cv-1416 KJM KJN P

ORDER

Petitioner is a state prisoner proceeding without counsel. On March 9, 2017, the assigned magistrate judge recommended that respondent’s motion to dismiss be granted, and this court so ordered on March 31, 2017. Afterwards, petitioner requested more time to object to the findings and recommendations, which this court granted. ECF Nos. 40, 41. The court therefore vacated the March 31 order and judgment, and granted petitioner two extensions of time to file objections to the findings and recommendations. ECF Nos. 41 & 44.

On June 23, 2017, petitioner filed a request for assistance from the court to present a “better defense.” ECF No. 45 at 2. Construing the filing as a request for the appointment of counsel, the court denies this request. There currently exists no absolute right to appointment of counsel in habeas proceedings. *See Nevius v. Sumner*, 105 F.3d 453, 460 (9th Cir. 1996). And although 18 U.S.C. § 3006A authorizes the appointment of counsel at any stage of the case “if the interests of justice so require,” *see* Rule 8(c), Fed. R. Governing § 2254, appointing counsel here,

1 at this stage of the proceedings, would not serve the interests of justice. Instead, petitioner is
2 granted more time to prepare and file his objections to the findings and recommendations. No
3 further extensions will be granted.

4 IT IS HEREBY ORDERED that:

5 1. Petitioner's June 23, 2017 request (ECF No. 45), construed as a request for
6 appointment of counsel, is denied without prejudice; and

7 2. Petitioner is granted sixty days from the date of this order in which to file
8 objections to the March 9, 2017 findings and recommendations. No further extensions of time
9 will be granted.

10 This resolves ECF No. 45.

11 DATED: September 27, 2017.

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15 UNITED STATES DISTRICT JUDGE
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