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8	IN THE UNITED STATES DISTRICT COURT
9	FOR THE EASTERN DISTRICT OF CALIFORNIA
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11	ERNIE ROXAS, No. 2:15-CV-2201-CMK-P
12	Petitioner,
13	vs. <u>ORDER</u>
14	J. LIZARRAGA,
15	Respondent.
16	
17	Petitioner, a state prisoner proceeding pro se, brings this petition for a writ of
18	habeas corpus pursuant to 28 U.S.C. § 2254.
19	Petitioner seeks the appointment of counsel. There currently exists no absolute
20	right to appointment of counsel in habeas proceedings. See Nevius v. Sumner, 105 F.3d 453,
21	460 (9th Cir. 1996). However, 18 U.S.C. § 3006A authorizes the appointment of counsel at any
22	stage of the case "if the interests of justice so require." See Rule 8(c), Fed. R. Governing § 2254
23	Cases. In the present case, the court does not find that the interests of justice would be served by
24	the appointment of counsel at the present time.
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(HC) Roxas v. Lizarraga

Doc. 9

Accordingly, IT IS HEREBY ORDERED that petitioner's motion for appointment of counsel (Doc. 8) is denied without prejudice to renewal, at the earliest, after a response to the petition has been filed.

DATED: February 19, 2016

CRAIG M. KELLISON

UNITED STATES MAGISTRATE JUDGE