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UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA

ARMANDO HERRERA,  
Plaintiff,  
v.  
M. IDEMUDIA,  
Defendant.

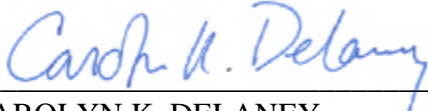
No. 2:16-cv-2293 JAM CKD P

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 the litigation.

Accordingly, IT IS HEREBY ORDERED that plaintiff's request for the appointment (ECF No. 24) of counsel is denied without prejudice to renewal at a later stage of the litigation.

Dated: December 6, 2016

  
CAROLYN K. DELANEY  
UNITED STATES MAGISTRATE JUDGE

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