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UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

WILLIAM HOUSTON,
Plaintiff,
v.
L. ELDRIDGE, et al.,
Defendants.

No. 2:16-cv-2561 WBS KJN P

ORDER

Plaintiff is a state prisoner, proceeding pro se and in forma pauperis, with a civil rights action pursuant to 42 U.S.C. § 1983. The pending findings and recommendations are under advisement, but the Court has determined that plaintiff would benefit from the appointment of counsel, and that it may be appropriate to set this matter for further settlement conference.


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, (1989). In certain exceptional circumstances, however, 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 (9th Cir. 1990); Wood v. Housewright, 900 F.2d 1332 (9th Cir. 1990). Because the Court has determined that appointment of counsel for plaintiff is appropriate, this court will refer this case to Sujean Park, ADR and Pro Bono Director, to seek the voluntary assistance of counsel for plaintiff in this action.

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Accordingly, IT IS HEREBY ORDERED that:

1. This case is referred to Sujean Park, ADR and Pro Bono Director, to seek the voluntary assistance of counsel for plaintiff; and
2. The Clerk of the Court shall serve a copy of this order on Sujean Park, ADR and Pro Bono Director.

Dated: February 28, 2019



WILLIAM B. SHUBB
UNITED STATES DISTRICT JUDGE

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