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8 UNITED STATES DISTRICT COURT
9 FOR THE EASTERN DISTRICT OF CALIFORNIA
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11 BOBBY JAMES WILLIAMS,

No. 2:16-cv-2567-EFB P

12 Plaintiff,

13 v.

ORDER

14 AJANI JACKSON,

15 Defendant.
16

17 Plaintiff is a state prisoner proceeding without counsel in an action brought under 42
18 U.S.C. § 1983. He again requests that the court appoint counsel. As plaintiff was previously
19 informed, district courts lack authority to require counsel to represent indigent prisoners in
20 section 1983 cases. *Mallard v. United States Dist. Court*, 490 U.S. 296, 298 (1989). In
21 exceptional circumstances, the court may request an attorney to voluntarily to represent such a
22 plaintiff. *See* 28 U.S.C. § 1915(e)(1); *Terrell v. Brewer*, 935 F.2d 1015, 1017 (9th Cir. 1991);
23 *Wood v. Housewright*, 900 F.2d 1332, 1335-36 (9th Cir. 1990). When determining whether
24 “exceptional circumstances” exist, the court must consider the likelihood of success on the merits
25 as well as the ability of the plaintiff to articulate his claims pro se in light of the complexity of the
26 legal issues involved. *Palmer v. Valdez*, 560 F.3d 965, 970 (9th Cir. 2009). Having again
27 considered those factors, the court still finds there are no exceptional circumstances in this case.

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1 Accordingly, IT IS HEREBY ORDERED that plaintiff's request for appointment of
2 counsel (ECF No. 16) is denied.

3 DATED: February 7, 2017.



EDMUND F. BRENNAN
UNITED STATES MAGISTRATE JUDGE