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8	UNITED STATE	ES DISTRICT COURT
9	FOR THE EASTERN DISTRICT OF CALIFORNIA	
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11	DANIEL WEBSTER WRIGHT,	No. 2:17-cv-260-KJM-EFB P
12	Plaintiff,	
13	V.	ORDER
14	J. LEWIS, et al.,	
15	Defendants.	
16		
17	Plaintiff is a state prisoner proceeding	without counsel in an action brought under 42
18	U.S.C. § 1983. Now pending is defendant P. Sahota's ("defendant") motion to compel wherein	
19	he argues that plaintiff has failed to respond to interrogatories, requests for production, and	
20	requests for admission which were served on him on April 17, 2020 (and which were due on May	
21	20, 2020). ECF No. 43 at 3. Plaintiff has filed a combined opposition and request for	
22	appointment of counsel (ECF No. 47) and defe	endant has filed a reply (ECF No. 49).
23	Legal Standards	
24	Parties are obligated to respond to inter	rrogatories to the fullest extent possible under oath,
25	Fed. R. Civ. P. 33(b)(3), and any objections must be stated with specificity, Fed. R. Civ. P.	
26	33(b)(4); Davis v. Fendler, 650 F.2d 1154, 1160 (9th Cir. 1981) ("objections should be plain	
27	enough and specific enough so that the court can understand in what way the interrogatories are	
28	alleged to be objectionable"). A responding party is typically not required to conduct extensive	
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1	research in order to answer an interrogatory, but reasonable efforts to respond must be	
2	undertaken. L.H. v. Schwarzenegger, No. S-06-2042 LKK GGH, 2007 U.S. Dist. LEXIS 73752,	
3	2007 WL 2781132, *2 (E.D. Cal. Sep. 21, 2007). Further, the responding party has a duty to	
4	supplement any responses if the information sought is later obtained or the response provided	
5	needs correction. Fed. R. Civ. P. 26(e)(1)(A).	
6	Analysis	
7	In his opposition, plaintiff acknowledges that he did not submit timely responses to	
8	defendant's discovery requests. ECF No. 47. He claims, however, that due to his level of	
9	education (described as a third or fourth grade reading level) he does not "know what to do and	
10	how to do it." Id. at 1. He states that other inmates have previously helped him file both	
11	grievances and court pleadings – though he does not explain why such assistance is no longer	
12	possible. Id. He requests that the court appoint counsel and deny defendant's motion. Id. at 2.	
13	In his reply, defendant argues that plaintiff is an experienced litigant – having filed at least	
14	two federal complaints in the past (Wright v. Swingle, No. 2:11-cv-01792-DAD and Wright v.	
15	Fields, 2:15-cv-02291-KJM-EFB). Further, he correctly notes that responses to the propounded	
16	discovery do not require specialized legal knowledge or advanced reading comprehension. ECF	
17	No. 49 at 2.	
18	The court finds that appointment of counsel for plaintiff is unwarranted at this time.	
19	District courts lack authority to require counsel to represent indigent prisoners in section 1983	
20	cases. Mallard v. United States Dist. Court, 490 U.S. 296, 298 (1989). In exceptional	
21	circumstances, the court may request an attorney to voluntarily to represent such a plaintiff. See	
22	28 U.S.C. § 1915(e)(1); Terrell v. Brewer, 935 F.2d 1015, 1017 (9th Cir. 1991); Wood v.	
23	Housewright, 900 F.2d 1332, 1335-36 (9th Cir. 1990). When determining whether "exceptional	
24	circumstances" exist, the court must consider the likelihood of success on the merits as well as the	
25	ability of the plaintiff to articulate his claims pro se in light of the complexity of the legal issues	
26	involved. Palmer v. Valdez, 560 F.3d 965, 970 (9th Cir. 2009). Having considered those factors,	
27	the court finds there are no exceptional circumstances in this case. Having reviewed the	
28	pleadings filed by plaintiff in this case, the court concludes that he remains capable of	
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1	representing himself. The court is not unsympathetic to the challenges faced by prisoners in	
2	litigating their rights, but it cannot, practically speaking, appoint counsel to all prisoners who	
3	request it – even if it would undoubtedly benefit their case. Moreover, the discovery at issue here	
4	is not especially complex and the background of the case is obviously known to the plaintiff.	
5	Thus, the court will grant defendant's motion in part. It will compel plaintiff to respond to all the	
6	outstanding discovery within thirty days from the date of service of this order. If he fails to do so,	
7	sanctions will be recommended – up to and including dismissal of his claims against the	
8	defendant. The court declines, however, in light of plaintiff's pro se status and lack of facility	
9	with the law, to deem all of defendant's requests for admission admitted at this time.	
10	Conclusion	
11	Based on the foregoing, it is ORDERED that:	
12	1. Defendant Sahota's motion to compel is GRANTED in part as described supra (ECF	
13	No. 43);	
14	2. Plaintiff shall answer all outstanding discovery propounded by Sahota within thirty	
15	days from the date of service of this order; and	
16	3. Plaintiff's motion for appointment of counsel (ECF No. 47) is DENIED.	
17	DATED: August 4, 2020.	
18	EDMUND F. BRENNAN	
19	UNITED STATES MAGISTRATE JUDGE	
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