# UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF CALIFORNIA 

MICHAEL D. STORMAN,
Plaintiff,
v.

## U.S. OFFICE OF THE SECRETARY DHHS,

Defendant.

Plaintiff is proceeding in this action pro se and in forma pauperis. This matter was accordingly referred to the undersigned by E.D. Cal. 302(c)(21). Plaintiff has filed a motion to appoint counsel. ECF No. 10. Plaintiff requests that the court appoint counsel primarily because he "is mostly homebound and it is difficult for him to come to court." ECF No. 10 at 1.

In general, a person has no right to counsel in civil actions. See Storseth v. Spellman, 654 F.2d 1349, 1653 (9th Cir. 1981). In exceptional circumstances, the court may appoint counsel for indigent civil litigants pursuant to 28 U.S.C. § 1915(e)(1). Agyeman v. Corr. Corp. of Am., 390 F.3d 1101, 1103 (9th Cir. 2004). When determining whether "exceptional circumstances" exist, the court must consider the likelihood of success on the merits as well as the ability of the plaintiff to articulate his claims pro se in light of the complexity of the legal issues involved. Palmer v. Valdez, 560 F.3d 965, 970 (9th Cir. 2009). Having considered those factors, the court finds there are no exceptional circumstances in this case.

Accordingly, IT IS HEREBY ORDERED that plaintiff's motion to appoint counsel (ECF No. 10) is DENIED.

DATED: September 20, 2017


ALLISON CLAIRE UNITED STATES MAGISTRATE JUDGE

