

1 Weygandt v. Look, 718 F.2d 952, 954 (9th Cir. 1983). Circumstances common to most prisoners,
2 such as lack of legal education and limited law library access, do not establish exceptional
3 circumstances.

4 In the present case, the court does not find the required exceptional circumstances at this
5 time for the following reasons: (1) currently pending is the undersigned's recommendation that
6 plaintiff's request to proceed in forma pauperis be denied in this case, based on his status as a
7 "three strikes litigant" under 28 U.S.C. 1915(g), see ECF No. 16; and (2) should the district judge
8 adopt the undersigned's recommendation, then this action will proceed only if plaintiff pays the
9 full filing fee.

10 Accordingly, IT IS HEREBY ORDERED that plaintiff's motion for appointment of
11 counsel, ECF No. 17, is denied without prejudice.

12 DATED: February 8, 2018

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14 ALLISON CLAIRE
15 UNITED STATES MAGISTRATE JUDGE
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