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UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

RALPH E. DUMONT,
Petitioner,
v.
D. BORDERS,
Respondent.

No. 2:17-cv-1423 KJN P

ORDER

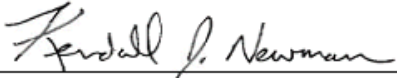
On June 2, 2018, petitioner signed a request for the appointment of counsel. On June 5, 2018, the undersigned issued an order addressing respondent’s motion to dismiss, and granted petitioner leave to file an amended petition, solely as to his second claim for relief. Petitioner was instructed to amend his petition to include his second claim from the petition previously filed in Case No. 2:13-cv-2541, and provided petitioner copies of the pertinent pages from the petition. Petitioner’s amended petition is due on or before July 5, 2018.

As to petitioner’s request for counsel, there currently exists no absolute right to appointment of counsel in habeas proceedings. See Nevius v. Sumner, 105 F.3d 453, 460 (9th Cir. 1996). However, 18 U.S.C. § 3006A authorizes the appointment of counsel at any stage of the case “if the interests of justice so require.” See Rule 8(c), Fed. R. Governing § 2254 Cases. In the present case, the court does not find that the interests of justice would be served by the appointment of counsel at the present time.

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Accordingly, IT IS HEREBY ORDERED that petitioner's request for appointment of counsel (ECF No. 22) is denied without prejudice.

Dated: June 14, 2018


KENDALL J. NEWMAN
UNITED STATES MAGISTRATE JUDGE

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