



1 most prisoners, such as lack of legal education and limited law library access, do not establish  
2 exceptional circumstances that would warrant a request for voluntary assistance of counsel.

3 Plaintiff seeks appointment of counsel on the grounds that he is indigent, his ability to  
4 litigate is limited by his imprisonment and lack of access to a law library, and an attorney would  
5 be better able to apply the law and present evidence at trial. These are circumstances are common  
6 to most prisoners and do not establish the exceptional circumstances necessary for appointment of  
7 counsel. Furthermore, it is not clear that this case will proceed to trial and at this stage, plaintiff  
8 appears capable of articulating his claims without the assistance of counsel.

9 Accordingly, IT IS HEREBY ORDERED that plaintiff's motion for the appointment of  
10 counsel (ECF No. 12) is denied.

11 DATED: April 30, 2019

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13 ALLISON CLAIRE  
14 UNITED STATES MAGISTRATE JUDGE  
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