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UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

ROGELIO MAY RUIZ,

Plaintiff,

v.

S. JOHNSTON, et al.,

Defendants.

No. 2:19-cv-2423-WBS-EFB P

ORDER

Plaintiff is a state prisoner proceeding without counsel in an action brought under 42 U.S.C. § 1983. He requests appointment of counsel as well as an extension of time to file his objections to the April 8, 2020 findings and recommendations.

District courts may authorize the appointment of counsel to represent an indigent civil litigant in certain exceptional circumstances. *See* 28 U.S.C. § 1915(e)(1); *Terrell v. Brewer*, 935 F.2d 1015, 1017 (9th Cir.1991); *Wood v. Housewright*, 900 F.2d 1332, 1335–36 (9th Cir.1990); *Richards v. Harper*, 864 F.2d 85, 87 (9th Cir. 1988). In considering whether exceptional circumstances exist, the court must evaluate (1) the plaintiff’s likelihood of success on the merits; and (2) the ability of the plaintiff to articulate her claims pro se in light of the complexity of the legal issues involved. *Terrell*, 935 F.2d at 1017. The court cannot conclude that plaintiff’s likelihood of success, the complexity of the issues, or the degree of plaintiff’s ability to articulate his claims amount to exceptional circumstances justifying the appointment of counsel at this time.

1 The court will however, grant plaintiff's request for an extension of time.

2 Accordingly, IT IS HEREBY ORDERED that plaintiff's request for the appointment of
3 counsel (ECF No. 9) is denied and his request for an extension of time (ECF No. 9) is granted.
4 Plaintiff shall file his objections to the findings and recommendations within thirty days from the
5 date of service of this order.

6 DATED: April 20, 2020.



EDMUND F. BRENNAN
UNITED STATES MAGISTRATE JUDGE

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