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UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA

11 JEROME ELI MCCOY,  
12 Petitioner,  
13 v.  
14 SACRAMENTO COUNTY JAIL,  
15 Respondent.

No. 2:22-cv-1770 ACP

## ORDER

17 Petitioner has requested the appointment of counsel. ECF No. 5. In support of the  
18 motion, petitioner states that he has a mental disability and that he can barely read or write. Id. at  
19 1.

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

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1           Accordingly, IT IS HEREBY ORDERED that petitioner's request for appointment of  
2 counsel (ECF No. 5) is DENIED without prejudice to a renewal of the motion at a later stage of  
3 the proceedings.

4 || DATED: November 16, 2022

Allison Claire  
ALLISON CLAIRE  
UNITED STATES MAGISTRATE JUDGE