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IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA

EARNEST C. WOODS,	)	No. C 10-1859 JSW (PR)
	)	
Plaintiff,	)	<b>ORDER DENYING MOTION FOR</b>
	)	<b>APPOINTMENT OF COUNSEL</b>
v.	)	<b>AND GRANTING EXTENSION OF</b>
	)	<b>TIME</b>
BEN CURRY, et al.,	)	
	)	
Defendants.	)	(Docket No. 34)

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Plaintiff, a California prisoner proceeding pro se, filed this pro se civil rights action pursuant to 42 U.S.C. § 1983. His motion for appointment of counsel (docket number 34) is DENIED. There is no constitutional right to counsel in a civil case. *Lassiter v. Dep't of Social Services*, 452 U.S. 18, 25 (1981). 28 U.S.C. § 1915 confers on a district court only the power to "request" that counsel represent a litigant who is proceeding in forma pauperis. 28 U.S.C. § 1915(e)(1). The Court has only the power to ask pro bono counsel to represent plaintiff, not the power to "appoint" counsel. Here, plaintiff has presented his claims adequately and the issues are not particularly complex. The Court determines that the interests of justice do not require appointment of counsel at this stage of the case. The motion (docket number 34) is DENIED.


Plaintiff has not shown any reason for an extension of time. Rather, the motion

1 simply discusses his claims. Nevertheless, in light of Plaintiff's pro se status, an  
2 extension of time, to and including **January 29, 2013**, is GRANTED in which to file an  
3 amended complaint. As this will allow him nearly four months to amend his complaint,  
4 no further extension of time will be granted. His failure to file an amended complaint by  
5 that time and in accordance with the order dismissing his complaint with leave to amend  
6 will result in the dismissal of this case.

7 This order terminates docket number 34.

8 IT IS SO ORDERED.

9 DATED: January 9, 2013

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12 JEFFREY S. WHITE  
13 United States District Judge  
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1 UNITED STATES DISTRICT COURT  
2 FOR THE  
3 NORTHERN DISTRICT OF CALIFORNIA  
4

5 EARNEST C. WOODS II,  
6 Plaintiff,  
7

Case Number: CV10-01859 JSW

**CERTIFICATE OF SERVICE**

8 v.


9 BEN CURRY et al,  
10 Defendant.  
\_\_\_\_\_ /

11 I, the undersigned, hereby certify that I am an employee in the Office of the Clerk, U.S. District  
12 Court, Northern District of California.

13 That on January 9, 2013, I SERVED a true and correct copy(ies) of the attached, by placing said  
14 copy(ies) in a postage paid envelope addressed to the person(s) hereinafter listed, by depositing  
15 said envelope in the U.S. Mail, or by placing said copy(ies) into an inter-office delivery  
16 receptacle located in the Clerk's office.

17 Earnest C. Woods D 58091  
18 P.O. Box 689  
Soledad, CA 95696

19 Dated: January 9, 2013

  
20 Richard W. Wieking, Clerk  
By: Jennifer Ottolini, Deputy Clerk  
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