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United States District Court
For the Northern District of California

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

MARCUS LEE GROSSE,

Plaintiff,

v.

SHERIFF'S DEPUTY MITCHELL,

Defendant.

No. C 10-3075 WHA (PR)

**ORDER DENYING LEAVE TO FILE
AMENDED COMPLAINT AND
DENYING APPOINTMENT OF
COUNSEL**

(Docket No. 15)

Plaintiff, a county jail inmate who is proceeding pro se, has filed a civil rights complaint under 42 U.S.C. 1983 against Sheriff's Deputy Mitchell, a guard at the Martinez Detention Facility in Martinez, California, where plaintiff is incarcerated. The complaint was found to state a cognizable claim for relief, and the Marshal was ordered to serve it upon Mitchell.

Dispositive motions have been scheduled but not yet filed. Plaintiff has filed another complaint form, which could possibly be a proposed amended complaint. The allegations set forth therein refer to an attack by "North north Korean troops" and are largely unintelligible. Plaintiff will not be given leave to file an amended complaint that is unintelligible.

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Plaintiff has also requested appointment of counsel. Plaintiff has thus far been able to advance his claims without counsel, and there are no extraordinary circumstances that would warrant appointment of counsel at this time. The request for appointment of counsel (docket number 15) is **Denied**. Should the need arise at a later date, the court will appoint counsel sua sponte.

IT IS SO ORDERED.

Dated: October 27, 2010.



WILLIAM ALSUP
UNITED STATES DISTRICT JUDGE

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