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


JOSEPH J. MELCHER,	)	No. C 12-0544 JSW (PR)
	)	
Petitioner,	)	<b>ORDER DENYING REQUEST FOR</b>
	)	<b>COUNSEL</b>
vs.	)	
	)	
KIM HOLLAND, Warden,	)	
	)	
Respondent.	)	(Docket No. 7)
	)	

Petitioner, a prisoner of the State of California proceeding pro se, has filed a habeas corpus petition pursuant to 28 U.S.C. § 2254 and has requested an attorney. The Sixth Amendment's right to counsel does not apply in habeas corpus actions. *Knaubert v. Goldsmith*, 791 F.2d 722, 728 (9th Cir.), *cert. denied*, 479 U.S. 867 (1986). However, 18 U.S.C. § 3006A(a)(2)(B) authorizes a district court to appoint counsel to represent a habeas petitioner whenever “the court determines that the interests of justice so require, representation may be provided for any financially eligible person who is seeking relief under section [ ] 2254 [ ] of title 28.”

Petitioner has presented his claims adequately in the petition. The Court determines that the interests of justice do not require appointment of counsel. The request for appointment of counsel (docket number 7) is DENIED.

IT IS SO ORDERED.

DATED: August 9, 2012

  
 \_\_\_\_\_  
 JEFFREY S. WHITE  
 United States District Judge

1 UNITED STATES DISTRICT COURT  
2 FOR THE  
3 NORTHERN DISTRICT OF CALIFORNIA  
4

5 JOSEPH J MELCHER,  
6  
7 Plaintiff,

Case Number: CV12-00544 JSW

**CERTIFICATE OF SERVICE**

8 v.


9 KIM HOLLAND 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 August 9, 2012, 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 said  
15 envelope in the U.S. Mail, or by placing said copy(ies) into an inter-office delivery receptacle  
16 located in the Clerk's office.

17 Joseph J. Melcher G-62372  
18 California Correctional Institution State Prison  
19 P.O. Box 1906  
20 Tehachapi, CA 93581

Dated: August 9, 2012

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