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5 IN THE UNITED STATES DISTRICT COURT
6 FOR THE NORTHERN DISTRICT OF CALIFORNIA
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8 KEVIN LAMAR HOPKINS,

No. C 12-0813 JSW (PR)

9 Plaintiff,

**ORDER DENYING APPOINTMENT
OF COUNSEL**

10 v.

11 CONTRA COSTA COUNTY SHERIFF
12 DAVID O. LIVINGSTON, et al.,

13 Defendants.

(Docket No. 30)

14 Plaintiff, an inmate at the West County Detention Facility, has filed this pro se civil
15 rights complaint under 42 U.S.C. § 1983. His motion for appointment of counsel (docket
16 number 30) is DENIED. There is no constitutional right to counsel in a civil case. *Lassiter*
17 *v. Dep't of Social Services*, 452 U.S. 18, 25 (1981). 28 U.S.C. § 1915 confers on a district
18 court only the power to "request" that counsel represent a litigant who is proceeding in forma
19 pauperis. 28 U.S.C. § 1915(e)(1). The Court has only the power to ask pro bono counsel to
20 represent plaintiff, not the power to "appoint" counsel. Here, plaintiff continues to be
21 capable of presenting his claims effectively, and the issues, at least at this stage, are not
22 complex. The motion (docket number 30) is DENIED without prejudice to the Court's sua
23 sponte reconsideration if the case proceeds to trial.

24 IT IS SO ORDERED.

25 DATED: 08/21/201226 
JEFFREY S. WHITE
27 United States District Judge
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