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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

TODD D. BURPEE,

No. C-12-3717 EMC (pr)

Petitioner,

v.

**ORDER EXTENDING TRAVERSE
DEADLINE AND DENYING REQUEST
FOR COUNSEL**

A. HEDGPETH, Warden,

Respondent.

Petitioner's request for an extension of time to file his traverse is **GRANTED**. (Docket # 20.) On or before **July 26, 2013**, Petitioner must file and serve his traverse. No further extensions of the deadline should be expected.

Petitioner has filed a second request for appointment of counsel to represent him in this action. A district court may appoint counsel to represent a habeas petitioner whenever "the court determines that the interests of justice so require" and such person is financially unable to obtain representation. 18 U.S.C. § 3006A(a)(2)(B). The decision to appoint counsel is within the discretion of the district court. *See Chaney v. Lewis*, 801 F.2d 1191, 1196 (9th Cir. 1986). Appointment is mandatory only when the circumstances of a particular case indicate that appointed counsel is necessary to prevent due process violations. *See id.* The interests of justice do not require appointment of counsel here. The request for appointment of counsel is **DENIED**. (Docket # 21.)

IT IS SO ORDERED.

Dated: June 6, 2013


EDWARD M. CHEN
United States District Judge