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5 UNITED STATES DISTRICT COURT
6 NORTHERN DISTRICT OF CALIFORNIA
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8 GENESIS SHELLOCK,

No. C 12-5121 SI (pr)

9 Petitioner,

**ORDER DENYING REQUEST FOR
APPOINTMENT OF COUNSEL**

10 v.


11 M. D. BITER, Warden,

12 Respondent.
13 _____/

14
15 Petitioner has requested that counsel be appointed to represent him in this action. A
16 district court may appoint counsel to represent a habeas petitioner whenever "the court
17 determines that the interests of justice so require" and such person is financially unable to obtain
18 representation. 18 U.S.C. § 3006A(a)(2)(B). The decision to appoint counsel is within the
19 discretion of the district court. *See Chaney v. Lewis*, 801 F.2d 1191, 1196 (9th Cir. 1986).
20 Appointment is mandatory only when the circumstances of a particular case indicate that
21 appointed counsel is necessary to prevent due process violations. *See id.* The interests of
22 justice do not require appointment of counsel in this action. The request for appointment of
23 counsel is DENIED. (Docket # 11.) Petitioner is cautioned that he must mail to respondent's
24 counsel a copy of every document he sends to the court.

25 IT IS SO ORDERED.

26 DATED: August 26, 2013

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SUSAN ILLSTON
United States District Judge