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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

MIGUEL GONZALEZ,
Petitioner,

No. C-13-0964 EMC (pr)

v.

**ORDER DENYING PETITIONER'S
REQUEST FOR COUNSEL**

CONNIE GIPSON, Warden,
Respondent.

_____ /

Petitioner has filed a 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 # 10.)


In his request for counsel, Petitioner stated that he had not received any mail from the Court other than the July 5, 2013 order extending deadlines. Petitioner’s failure to keep the Court

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1 informed of his current address was the cause of his failure to receive the other order. The Clerk
2 will send to Petitioner a replacement copy of the order at Docket # 5. Petitioner is reminded that he
3 must promptly notify the Court and opposing counsel any time he is moved to a new institution.
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5 IT IS SO ORDERED.
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7 Dated: August 2, 2013

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EDWARD M. CHEN
United States District Judge

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