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5 IN THE UNITED STATES DISTRICT COURT  
6 FOR THE NORTHERN DISTRICT OF CALIFORNIA  
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10 KARRIEM B. SHAHEED,

11 Plaintiff,

12 v.

13 CALIFORNIA CORRECTIONAL HEALTH  
14 CARE SERVICES, SAN QUENTIN, et al.,

15 Defendants.

Case No.: C 13-05751 VC (PR)

**ORDER DENYING MOTION FOR  
APPOINTMENT OF COUNSEL**

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17 Plaintiff moves for the appointment of counsel because the legal issues are complex and  
18 he is unable to adequately investigate or present the factual issues regarding his claims.

19 “[I]t is well-established that there is generally no constitutional right to counsel in civil  
20 cases.” *United States v. Sardone*, 94 F.3d 1233, 1236 (9th Cir. 1996). Nonetheless, under 28  
21 U.S.C. § 1915(e)(1), the Court has the discretion to appoint counsel to “any person unable to  
22 afford counsel.” The discretionary appointment of counsel typically is reserved for cases  
23 involving “exceptional circumstances.” *Terrell v. Brewer*, 935 F.2d 1015, 1017 (9th Cir. 1991).  
24 “A finding of exceptional circumstances requires an evaluation of both ‘the likelihood of success  
25 on the merits and the ability of the petitioner to articulate his claims pro se in light of the  
26 complexity of the legal issues involved.’ Neither of these factors is dispositive and both must be  
27 viewed together before reaching a decision.” *Id.* Here, exceptional circumstances requiring the  
28 appointment of counsel are not evident. The request for appointment of counsel is DENIED.

1 If, in the future, the Court concludes it is necessary to appoint counsel to represent Plaintiff, it  
2 shall do so *sua sponte*.

3 This Order terminates Docket No. 13.

4 **IT IS SO ORDERED.**

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6 Dated: May 12, 2014



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VINCE CHHABRIA  
UNITED STATES DISTRICT JUDGE