

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

United States District Court
For the Northern District of California

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

SORIBA BANGOURA,

No. C 12-02749 (DMR)

Plaintiff(s),

**ORDER DENYING MOTION FOR
APPOINTMENT OF COUNSEL
WITHOUT PREJUDICE**

v.

ANDRE BOUDIN BAKERIES,

Defendant(s).

Plaintiff Soriba Bangoura filed this Title VII employment discrimination case on May 29, 2012. [See Docket No. 1] On June 7, 2012, Plaintiff moved the court to appoint an attorney or legal advisor to assist in this case, as Plaintiff is unable to afford representation. [Docket No. 5.] For the following reasons, the court denies Plaintiff’s motion without prejudice.

As a general rule, there is no right to appointed counsel in a civil case. *Lee v. AT&T Corp.*, No. 09-5614-RS, 2010 WL 2348683, at *2 (N.D. Cal. June 8, 2010). However, the Civil Rights Act of 1964 permits appointment of counsel in employment discrimination cases “in such circumstances as the court may deem just.” *Id.* (quoting *Bradshaw v. Zoological Soc’y of San Diego*, 662 F.2d 1301, 1318 (9th Cir. 1981)) (citation omitted). To discern whether such circumstances exist, the court must examine “1) the plaintiff’s financial resources; 2) the efforts made by the plaintiff to secure counsel; and 3) the relative merit of the plaintiff’s claims.” *Id.* (citing *Bradshaw*, 662 F.2d at 1318).

1 Plaintiff's application to proceed *in forma pauperis* indicates that Plaintiff has had no income
2 stream for over a year, has few assets, and has fallen behind on rent payments. [See Docket No. 2.]
3 The court concludes that Plaintiff does not have the financial resources to hire a lawyer and,
4 therefore, meets the requirements of the first factor. *See Lee*, 2010 WL 2348683, at *2. Turning to
5 the second factor, Plaintiff has provided no information regarding attempts to secure counsel. With
6 respect to the third factor, the relative merits of the case, the record before the court at this time is
7 too skeletal to make a proper evaluation. In sum, the court finds that Plaintiff does not fulfill the
8 requirements for the appointment of counsel at this time.

9 Because Plaintiff has not fulfilled the requisites to secure appointment of counsel, the court
10 denies Plaintiff's motion without prejudice.

11 The court takes this opportunity to direct Plaintiff to resources referenced on the Court's
12 website, www.cand.uscourts.gov, under the Quick Link "If You Don't Have a Lawyer." These
13 resources include the *Pro Se Handbook*, as well as information about the Legal Help Center, a free
14 service offered by the Bar Association of San Francisco. Appointments for the San Francisco Legal
15 Help Center can be made by calling 415-782-9000 ext. 8657.

16
17 IT IS SO ORDERED.

18
19 Dated: June 21, 2012



20
21 DONNA M. RYU
United States Magistrate Judge

22
23
24
25
26
27
28