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4 UNITED STATES DISTRICT COURT
5 NORTHERN DISTRICT OF CALIFORNIA

6 **TERRY L WEISS,**
7 Plaintiff,

8 v.

9 **CITY OF SANTA ROSA POLICE**
10 **DEPARTMENT, ET AL.,**
11 Defendants.

Case No. 15-cv-01639-YGR

**ORDER DENYING MOTION FOR
APPOINTMENT OF COUNSEL**

Re: Dkt. No. 66

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13 The Court has reviewed plaintiff's Motion for Appointment of Counsel.

14 In contrast to criminal proceedings, there generally is no constitutional right to counsel in
15 civil actions. *United States v. 30.64 Acres of Land*, 795 F.2d 796, 801 (9th Cir. 1986) ("There is
16 normally . . . no constitutional right to counsel in a civil case."). This decision of whether to
17 request counsel is within the discretion of the district court and is "granted only in exceptional
18 circumstances." *See Agyeman v. Corr. Corp. of Am.*, 390 F.3d 1101, 1103 (9th Cir. 2004)
19 (quoting *Franklin v. Murphy*, 745 F.2d 1221, 1236 (9th Cir. 1984)). Deciding whether
20 "exceptional circumstances" exist requires an evaluation of the likelihood of plaintiff's success on
21 the merits as well as the ability of the plaintiff to articulate his or her claims *pro se* in light of the
22 complexity of the legal issues. *Wilborn v. Escalderon*, 789 F.2d 1328, 1331 (9th Cir. 1986) (citing
23 *Weygandt v. Look*, 718 F.2d 952, 954 (9th Cir. 1983)).

24 This case does not present an exceptional circumstance warranting the appointment of
25 counsel. Accordingly, plaintiff's Motion for Appointment of Counsel is **DENIED**. However, the
26 Court itself pays close attention to the legal issues addressed in the filing and has referred the
27 parties to a magistrate judge to attempt to resolve the matter without further legal proceedings.

28 The Court understands the difficulties that pro se litigants encounter and has available,

1 through the Court’s website, <http://cand.uscourts.gov>, a “Handbook for Pro Se Litigants,” which
2 contains helpful information about proceeding without an attorney. The Court also advises
3 plaintiff that additional assistance may be available by making an appointment with the Legal
4 Help Center. There is no fee for this service. Please visit the Court’s website or call the phone
5 numbers listed below for current office hours, forms, and policies.

6 To make an appointment with the Legal Help Center in Oakland, plaintiff may visit the
7 Oakland Courthouse, located at 1301 Clay Street, Room 470S, Oakland, California, 94612, or call
8 (415) 782-8982.


9 To make an appointment with the Legal Help Center in San Francisco, plaintiff may visit
10 the San Francisco Courthouse, located at 450 Golden Gate Avenue, 15th Floor, Room 2796, San
11 Francisco, California, 94102, or call (415) 782-8982.

12 To make an appointment with the Federal Legal Assistance Self-Help Center in San Jose,
13 plaintiff may visit the San Jose Federal Courthouse, located at 280 South 1st Street, 4th Floor,
14 Rooms 4093 & 4095, San Jose, California, 95113, or call (408) 297-1480.

15 This Order Terminates Docket Number 66.

16 **IT IS SO ORDERED.**

17 Dated: June 24, 2016

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19 **YVONNE GONZALEZ ROGERS**
20 **UNITED STATES DISTRICT COURT JUDGE**

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