

**\*E-FILED - 8/7/09\***

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA

ROBERT MULLEN,

Plaintiff,

v.

DR. STEPHEN SURTSHIN, et al.,

Defendants.

No. C 03-03676 RMW (PR)

ORDER DENYING PLAINTIFF'S  
THIRD MOTION FOR APPOINTMENT  
OF COUNSEL; GRANTING IN PART  
AND DENYING IN PART REQUEST  
FOR COPIES

(Docket Nos. 137, 139, 141, 142)

Plaintiff, proceeding pro se, filed a civil rights complaint pursuant to 42 U.S.C. § 1983 against Napa State Hospital and its staff regarding the conditions of his confinement. Plaintiff's third motion for appointment of counsel (docket no. 137) is DENIED for want of exceptional circumstances. See Rand v. Rowland, 113 F.3d 1520, 1525 (9th Cir. 1997); see also Lassiter v. Dep't of Social Services, 452 U.S. 18, 25 (1981) (there is no constitutional right to counsel in a civil case). The issues in this case are not particularly complex and plaintiff has thus far been able to adequately present his claims. This denial is without prejudice to the court's sua sponte appointment of counsel at a future date should the circumstances of this case warrant such appointment.

On July 8, 2009, plaintiff requested the court to provide copies of certain pleadings to the Attorney General. He explained that the facility where he was currently incarcerated, "does not provide copy services for non-pro per inmates who are indigent."

1 On July 20, 2009, plaintiff requested the court to provide a copy of his second  
2 amended complaint along with exhibits (docket no. 35). He also requested the court once  
3 again to serve a copy of the second amended complaint on the Attorney General's office or  
4 mail it to the plaintiff so that he may serve them himself. The court GRANTS plaintiff's  
5 requests in part. As a one-time courtesy, the court will provide a copy of the second  
6 amended complaint (docket no. 35) to the plaintiff along with the attached exhibits. The  
7 court notes the clerk of the court has already mailed to the Attorney General's office a copy  
8 of plaintiff's second amended complaint (docket no. 35) and a copy of the court's order dated  
9 June 3, 2008 (docket no. 40).

10 Plaintiff's requests for copies of other documents are DENIED. The clerk of the court  
11 is instructed to send the "copy request form" to plaintiff so that he may file his request to the  
12 court with the proper fees for further processing of copies.

13 This order terminates docket nos. 137, 139, 141, 142.

14 IT IS SO ORDERED.

15 DATED: 8/5/09

  
RONALD M. WHYTE  
United States District Judge