

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

E-FILED - 7/6/09

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

JAMES WILSON CALLOWAY,

No. C 07-02335 RMW (PR)

Plaintiff,

ORDER DENYING PLAINTIFF'S MOTION
FOR APPOINTMENT OF COUNSEL

v.

J. TILTON, et al.,

Defendants.

(Docket No. 68)

_____/

Plaintiff, proceeding pro se, filed a civil rights complaint pursuant to 42 U.S.C. § 1983 against prison officials. Plaintiff's motion for appointment of counsel (docket no. 68) 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.

///

///

///

Order Denying Plaintiff's Motion for Appointment of Counsel
P:\PRO-SE\SJ.Rmw\CR.07\Calloway335.DenyAtty.wpd

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

This order terminates docket no. 68.

IT IS SO ORDERED.

Dated: 7/2/09



RONALD M. WHYTE
United States District Judge