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United States District Court
For the Northern District of California

E-FILED - 3/25/10

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

JAMES LUCIUS OLIVER,
Plaintiff,
v.
C. NOLL, Warden, et al.,
Defendants.

No. C 09-3840 RMW (PR)
ORDER DENYING PLAINTIFF'S
MOTION FOR APPOINTMENT OF
COUNSEL

_____/ (Docket No. 58)

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. 58) 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.

This order terminates docket no. 58.

IT IS SO ORDERED.

Dated: 3/24/10


RONALD M. WHYTE
United States District Judge