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E-FILED - 4/21/11

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

FRANCISCO J. MEDINA,

Plaintiff,

v.

ROBERT A. HOREL, Warden, et al.,

Defendants.

No. C 10-3610 RMW (PR)

ORDER GRANTING PLAINTIFF'S
MOTIONS FOR EXTENSION OF TIME TO
FILE OPPOSITION; ORDER DENYING
APPOINTMENT OF COUNSEL

(Docket Nos. 28, 30 and 38)

Plaintiff, a state prisoner proceeding pro se, filed a civil rights complaint pursuant to 42 U.S.C. § 1983. Before the Court are plaintiff's motions for extension of time to file his opposition to defendants' motion for summary judgment and his motion for appointment of counsel.

Plaintiff's motions for extension of time to file his opposition to defendants' dispositive motion are GRANTED. Plaintiff shall file his opposition no later than by **June 29, 2011**. Defendants' reply brief is due no later than **fifteen (15) days** after the date plaintiff's opposition is filed.

Plaintiff's motion for appointment of counsel (docket no. 30) 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

1 appointment of counsel.

2 This order terminates docket nos. 28, 30 and 38.

3 IT IS SO ORDERED.

4 DATED: 4/21/11

Ronald M. Whyte
RONALD M. WHYTE
United States District Judge

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