

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

## IN THE UNITED STATES DISTRICT COURT

## FOR THE NORTHERN DISTRICT OF CALIFORNIA

JAIME IGNASCIO ESTRADA, ) No. C 10-4832 LHK (PR)  
Plaintiff, ) ORDER DENYING  
v. ) PLAINTIFF'S MOTION FOR  
C. MALO CLINES, ) APPOINTMENT OF COUNSEL  
Defendant, )  
\_\_\_\_\_) (Docket No. 38)

Plaintiff, a state prisoner 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. 38) 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. 38.

IT IS SO ORDERED.

DATED: 8/28/11

  
\_\_\_\_\_  
LUCY H. KOH  
United States District Judge