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

WILLIE GEORGE ERWIN, JR.,	)	No. C 12-0031 LHK (PR)
	)	
Plaintiff,	)	ORDER DENYING MOTION
	)	FOR APPOINTMENT OF
v.	)	COUNSEL; GRANTING
	)	MOTION FOR EXTENSION OF
WARDEN R. GROUNDS, et al.,	)	TIME TO FILE OPPOSITION
	)	
Defendants.	)	
		(Docket Nos. 20, 21, 22)

Plaintiff, a state prisoner proceeding *pro se*, filed an amended civil rights complaint pursuant to 42 U.S.C. § 1983, alleging that prison officials were deliberately indifferent to his serious medical needs. On October 16, 2012, Defendants filed a motion to dismiss for failure to state a claim, and based on qualified immunity. Plaintiff has filed motions for appointment of counsel. (Doc. Nos. 20 and 21.) Plaintiff has also filed a motion for extension of time to file an opposition to Defendants’ motion to dismiss. (Doc. No. 22.)

Plaintiff’s motion for appointment of counsel 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.

1 Plaintiff's motion for extension of time to file an opposition is **GRANTED**. Plaintiff  
2 shall file an opposition no later than twenty-eight (28) days from the date this order is filed.  
3 Defendants shall file a reply within fourteen (14) days thereafter.

4 This order terminates docket numbers 20, 21, and 22.

5 IT IS SO ORDERED.

6 DATED: 11/8/12

  
LUCY H. KOH  
United States District Judge

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