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

MARLOH JESSIE BLACHER,)
)
 Petitioner,)
)
 vs.)
)
 L.S. MCEWEN,)
)
 Respondent.)

No. C 12-4775 RMW (PR)
ORDER DENYING MOTION FOR
APPOINTMENT OF COUNSEL

(Doc. No. 14.)

Petitioner, a state prisoner proceeding pro se, seeks a writ of habeas corpus pursuant to 28 U.S.C. § 2254. On December 3, 2012, this Court ordered respondent to show cause why a writ of habeas corpus should not be granted. (Doc. No. 11.) Petitioner has filed a motion for appointment of counsel. (Doc. No. 14.)

However, the Sixth Amendment’s right to counsel does not apply in habeas corpus actions. Knaubert v. Goldsmith, 791 F.2d 722, 728 (9th Cir. 1986). While 18 U.S.C. § 3006A(a)(2)(B) authorizes a district court to appoint counsel to represent a habeas petitioner if “the court determines that the interests of justice so require,” the courts have made appointment of counsel the exception rather than the rule. Appointment is mandatory only when the circumstances of a particular case indicate that appointed counsel is necessary to prevent due process violations. See Chaney v. Lewis, 801 F.2d 1191, 1196 (9th Cir. 1986).

Petitioner has thus far been able to adequately present his claims for relief. No