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

IVAN LEE MATTHEWS,	)	No. C 13-2760 LHK (PR)
	)	
Plaintiff,	)	ORDER DENYING DEFENDANTS’
	)	MOTION TO SCREEN PLAINTIFF’S
v.	)	AMENDED COMPLAINT; DENYING
	)	PLAINTIFF’S MOTION FOR
E. BLACK, et al.,	)	APPOINTMENT OF COUNSEL
	)	
Defendants.	)	
		(Docket Nos. 14, 21)

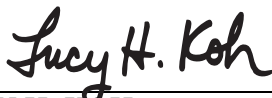
On June 14, 2013, plaintiff, a California state prisoner proceeding *pro se*, filed a civil rights complaint pursuant to 42 U.S.C. § 1983. (Docket No. 1.) On October 10, 2013, the court issued an order of service and set a briefing schedule. (Docket No. 7.) On October 25, 2013, plaintiff filed an amended civil rights complaint. (Docket No. 11.) On December 3, 2013, the court screened plaintiff’s amended complaint, issued an order of service, and set a new briefing schedule. (Docket No. 12.) On December 18, 2013, defendants filed a motion to screen plaintiff’s amended complaint and a request to revise the scheduling order. (Docket No. 14.) Defendants’ motion is **DENIED** as moot.

Plaintiff has filed a motion for appointment of counsel. (Docket No. 21.) 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). This denial is

1 without prejudice to the court's *sua sponte* appointment of counsel at a future date should the  
2 circumstances of this case warrant such appointment.

3 IT IS SO ORDERED.

4 DATED: 1/17/14



5 LUCY H. KOH  
6 United States District Judge

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