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28UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIANANCY JOHNSON,
Plaintiff,

v.

SANTA CLARA COUNTY, CALIFORNIA,
Defendant.Case No. [14-cv-00672-BLF](#)**ORDER DENYING MOTION TO
APPOINT COUNSEL**

Re: Dkt. Nos. 41, 42

Before the Court is Plaintiff's Motion for Appointment of Counsel, filed on April 28, 2014. Plaintiff previously filed a substantially identical Motion for Appointment of Counsel on March 3, 2014, which the Court denied on March 19, 2014. (ECF Docket No. 37). The Court served that Order on Plaintiff by certified mail at the address provided for such service. (ECF Docket No. 37 Attachment 1). The Court has considered Plaintiff's Motion as a Motion for Leave to File a Motion for Reconsideration, pursuant to Civil Local Rule 7-9. Because Plaintiff pleads no additional facts that would allow this Court to revisit its first Order, the Court denies Plaintiff's Motion.

There is no constitutional right to counsel in a civil case. See, e.g., *Lassiter v. Dep't of Social Services*, 452 U.S. 18, 25 (1981). The Ninth Circuit has held, consistent with 28 U.S.C. § 1915(e)(1), that a District Court may ask counsel to represent an indigent civil litigant in "exceptional circumstances." *Terrell v. Brewer*, 935 F.2d 1015, 1017 (9th Cir. 1991). Such an appointment requires the Court evaluate the likelihood of success on the merits of the litigant's claims, as well as the ability of the litigant to articulate said claims in light of the complexity of the legal issues involved. See, e.g., *Wilborn v. Escalderon*, 789 F.2d 1328, 1331 (9th Cir. 1986).

Plaintiff pleads no additional circumstances beyond those already described in her March 3

1 Motion for Appointment of Counsel. As such, the Court finds no reason to reconsider its prior
2 Order denying Plaintiff's Motion. The Court reiterates to Plaintiff, consistent with the March 19
3 Order, its referral to the Federal Legal Assistance Self-Help ("FLASH") Center, located at 280
4 South First Street, 2nd Floor, Room 2070, San Jose, California, 95113, and reachable by phone at
5 (408) 297-1480. Plaintiff's Motion for Appointment of Counsel is hereby DENIED.

6 **IT IS SO ORDERED.**

7 Dated: April 30, 2014



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9 **BETH LABSON FREEMAN**
United States District Judge

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