

1 Thus far, Plaintiff has drafted and submitted numerous pleadings and motions without the
2 assistance of counsel. In addition to the instant motion, he has submitted a complaint (ECF No.
3 1), a motion to proceed *in forma pauperis* (ECF No. 2), a first amended complaint (ECF No. 8),
4 and a motion for extension of time to file a second amended complaint (ECF No. 11).

5 From the Court's review of these documents, it is apparent that Plaintiff is able to
6 articulate the claims of his case. Further, Plaintiff does not demonstrate a likelihood of success
7 on the merits such that his case should be classified as an "exceptional circumstance[]." *Agyeman*,
8 390 F.3d at 1103; *see also Wilborn*, 789 F.2d at 1331. Because Plaintiff has not
9 alleged the requisite "exceptional circumstances" at this time, the Court therefore **DENIES**
10 without prejudice Plaintiff's request for appointment of counsel.

11 **IT IS SO ORDERED.**

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13 DATED: July 28, 2010



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15 BARBARA L. MAJOR
16 United States Magistrate Judge
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