

**UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION**

RANDLE LAVERDURE,

Petitioner,

v.

Case No. 2:07-CV-11055

RAYMOND BOOKER,

Respondent.

**ORDER DENYING PETITIONER' S APPLICATION
FOR APPOINTMENT OF COUNSEL**

This matter is before the court on Petitioner's "Application for Appointment of Counsel" Petitioner has filed a financial affidavit in support of his request indicating that he is unable to afford counsel. Petitioner has submitted his habeas petition, but Respondent has not yet filed an answer to the petition.

Petitioner has no absolute right to be represented by counsel on federal habeas corpus review. See *Abdur-Rahman v. Michigan Dept. of Corrections*, 65 F.3d 489, 492 (6th Cir. 1995); see also *Wright v. West*, 505 U.S. 277, 293 (1992) (citing *Pennsylvania v. Finley*, 481 U.S. 551, 555 (1987)). "[A]ppointment of counsel in a civil case is . . . a matter within the discretion of the court. It is a privilege and not a right." *Childs v. Pellegrin*, 822 F.2d 1382, 1384 (6th Cir. 1987) (quoting *United States v. Madden*, 352 F.2d 792, 793 (9th Cir. 1965)). Petitioner has submitted his pleadings in support of his claims. Neither an evidentiary hearing nor discovery are necessary at this time, and the interests of justice do not require appointment of counsel. See 18 U.S.C. §

3006A(a)(2)(B); 28 U.S.C. foll. § 2254, Rules 6(a) and 8(c). Accordingly,

Petitioner's "Application for Appointment of Counsel" [Dkt # 2] is DENIED.

S/Robert H. Cleland
ROBERT H. CLELAND
UNITED STATES DISTRICT JUDGE

Dated: March 28, 2007

I hereby certify that a copy of the foregoing document was mailed to counsel of record on this date, March 28, 2007, by electronic and/or ordinary mail.

S/Lisa Wagner
Case Manager and Deputy Clerk
(313) 234-5522