

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

LESLIE JONES,

Petitioner,

Case Number: 2:08-CV-13388

v.

HON. STEPHEN J. MURPHY, III

JEFFREY WOODS,

Respondent.

_____ /

**ORDER DENYING WITHOUT PREJUDICE PETITIONER'S
MOTION FOR APPOINTMENT OF COUNSEL**

Petitioner Leslie Jones, a state inmate currently incarcerated at the Ojibway Correctional Facility in Marenisco, Michigan, has filed a *pro se* petition for a writ of habeas corpus pursuant to 28 U.S.C. § 2254. Petitioner also has filed a Motion for Appointment of Counsel.

There exists no constitutional right to the appointment of counsel in civil cases, and the court has broad discretion in determining whether counsel should be appointed. *Childs v. Pellegrin*, 822 F.2d 1382, 1384 (6th Cir. 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.”) (internal quotation omitted). A habeas petitioner may obtain representation at any stage of the case “[w]henver the United States magistrate or the court determines that the interests of justice so require.” 18 U.S.C. § 3006A(a)(2)(B). In the instant case, the Court determines after careful consideration that the interests of justice do not require appointment of counsel at this time, and will deny the motion without prejudice.

Accordingly, **IT IS ORDERED** that Petitioner’s “Motion for Appointment of Counsel”

[dkt. # 8] is **DENIED WITHOUT PREJUDICE.**

s/Stephen J. Murphy, III
STEPHEN J. MURPHY, III
United States District Judge

Dated: February 2, 2009

I hereby certify that a copy of the foregoing document was served upon the parties and/or counsel of record on February 2, 2009, by electronic and/or ordinary mail.

s/Alissa Greer
Case Manager