

1 dispositive motion deadline thirty days from the date of this order. Dispositive motions shall be filed
2 no later than Monday, March 26, 2012.

3 **III. Motion for Appointment of Counsel (#43)**

4 Plaintiff additionally requests the Court appoint him counsel to represent him in this matter.
5 Plaintiff claims that he cannot afford a lawyer, the issues of this litigation are complex, he is at a
6 disadvantage due to his incarceration, and all his attempts to secure a lawyer have been unsuccessful.
7 There is no constitutional right to the appointment of counsel in civil cases. *Ivey v. Bd. of Regents of*
8 *Univ. of Alaska*, 673 F.2d 266, 269 (9th Cir. 1982). In determining whether counsel should be
9 appointed, the court has discretion to consider the following factors: (1) the plaintiff's financial
10 resources; (2) the efforts made by the plaintiff to secure counsel; and (3) the meritoriousness of the
11 plaintiff's claim. *Id.* Plaintiff has not presented sufficient evidence to persuade this Court to appoint
12 counsel in this matter. Accordingly,

13 **IT IS HEREBY ORDERED** that Plaintiff's Motion for Expense Fund (#41) is **denied**.

14 **IT IS FURTHER ORDERED** that Plaintiff's Motion for Enlargement of Time (#42) is
15 **granted**. Dispositive motions shall be due no later that **Monday, March 26, 2012**.

16 **IT IS FURTHER ORDERED** that Plaintiff's Motion for Appointment of Counsel (#43) is
17 **denied**.

18 DATED this 24th day of February, 2012.

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21 GEORGE FOLEY, JR.
22 United States Magistrate Judge
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