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UNITED STATES DISTRICT COURT

DISTRICT OF NEVADA

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ERNEST JORD GUARDADO,

Plaintiff,

vs.

STATE OF NEVADA, et al.,

Defendants.

2:18-cv-00198-GMN-VCF

ORDER

Before the Court is Plaintiff's Motion For Appointment of Counsel (ECF Nos. 80 & 81).

A litigant in a civil rights action does not have a Sixth Amendment right to appointed counsel. Storseth v. Spellman, 654 F.2d 1349, 13253 (9th Cir. 1981).

The court may appoint counsel under 28 U.S.C. § 1915 only under exceptional circumstances. Terrell v. Brewer, 935 F.2d 1015, 1017 (9th Cir. 1991). "A finding of exceptional circumstances requires an evaluation of both the likelihood of success on the merits and the ability of the petitioner to articulate his claims pro se in light of the complexity of the legal issues involved. Neither of these factors is dispositive and both must be viewed together before reaching a decision." Id. (citations and internal quotation marks omitted). The court has reviewed the complaint and filings in this case. Here, the Court does not find exceptional circumstances that warrant the appointment of counsel.

Accordingly, IT IS HEREBY ORDERED that the Plaintiff's Motion For Appointment of Counsel (ECF Nos. 80 & 81) is DENIED.

DATED this 19th day of August, 2019.

CAM FERENBACH
UNITED STATES MAGISTRATE JUDGE

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