UNITED STATES DISTRICT COURT

DISTRICT OF NEVADA

MONTENEQUE NAKIA KNOX, Plaintiff, vs. TANIA ARGUELLO, et al., Defendants.	3:09-cv-00559-HDM-RAM ORDER

The plaintiff has appealed the magistrate judge's decision to deny his motion for appointment of counsel and request for evidentiary hearing (#20).[1] Plaintiff's motion does not set forth any compelling basis for the appointment of counsel and does not explain the reason he requests an evidentiary hearing. The court finds that plaintiff is able to present his claims and that this is not one of those extraordinary cases in which appointment of counsel is justified. Accordingly, the court affirms the

[1] Although the motion is entitled "motion for leave to proceed in forma pauperis," plaintiff has already been granted such. (*See* Docket #9). Accordingly, to the extent plaintiff is moving to proceed in forma pauperis in this motion, the motion is denied as moot.

magistrate judge's decision to deny plaintiff's motion for appointment of counsel and request for evidentiary hearing, and the plaintiff's motion appealing such is **DENIED.**

IT IS SO ORDERED.

DATED: This 18th day of October, 2010.

Howard D McKibben

UNITED STATES DISTRICT JUDGE