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9 UNITED STATES DISTRICT COURT  
10 DISTRICT OF NEVADA  
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12 MONTENEQUE NAKIA KNOX, ) 3:09-cv-00559-HDM-RAM  
13 Plaintiff, )  
14 vs. ) ORDER  
15 TANIA ARGUELLO, et al., )  
16 Defendants. )  
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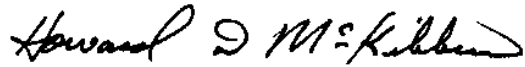
18 The plaintiff has appealed the magistrate judge's decision to  
19 deny his motion for appointment of counsel and request for  
20 evidentiary hearing (#20).<sup>1</sup> Plaintiff's motion does not set forth  
21 any compelling basis for the appointment of counsel and does not  
22 explain the reason he requests an evidentiary hearing. The court  
23 finds that plaintiff is able to present his claims and that this is  
24 not one of those extraordinary cases in which appointment of  
25 counsel is justified. Accordingly, the court affirms the  
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27 <sup>1</sup> Although the motion is entitled "motion for leave to proceed in forma  
28 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.

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

4 **IT IS SO ORDERED.**

5 DATED: This 18th day of October, 2010.

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8 UNITED STATES DISTRICT JUDGE  
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