

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

-----X

THEIL T. STAPLETON,

Petitioner,

-against-

HAROLD D. GRAHAM,

Respondent.

-----X

BLOOM, United States Magistrate Judge:

By Order dated May 28, 2009, the Court denied petitioner's letter request for *pro bono* counsel. See docket entry 10. On December 16, 2009, petitioner filed a second application for the Court to request *pro bono* counsel. See docket entry 12. The petition for Writ of Habeas Corpus and petitioner's request for a stay was opposed by respondent on April 29, 2009. See docket entry 6. Petitioner filed a reply to respondent's opposition to a stay of proceedings on July 4, 2009. See docket entry 11.

Petitioner's application for *pro bono* counsel is again denied. There is no right to counsel in a civil case. Martin-Trigona v. Lavien, 737 F.2d 1254, 1260 (2d Cir. 1984). Here, the instant petition seeking a Writ of Habeas Corpus is fully briefed. Petitioner will be notified when a decision is made in his case.

SO ORDERED.

Dated: December 23, 2009
Brooklyn, New York

FILED
IN CLERK'S OFFICE
U.S. DISTRICT COURT E.D.N.Y.
★ DEC 28 2009
P.M. 8
TIME A.M. 2 *forward*

ORDER
09 CV 382 (ENV)(LB)

Lois Bloom

LOIS BLOOM
United States Magistrate Judge

cbu