

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

GENEVA HOLMES-JAMES,

Plaintiff,

V.

KING COUNTY COURT, et al.,

Defendants.

CASE NO. C17-321-RSL

**ORDER DENYING PLAINTIFF'S
MOTION FOR APPOINTMENT OF
COUNSEL**

Geneva Holmes-James, proceeding *pro se* and *in forma pauperis*, has filed a motion for appointment of counsel. Dkt. 7. The motion has been referred to the undersigned United States Magistrate Judge. Dkt. 8. For the following reasons, the Court **DENIES** the motion **without prejudice**.

There is no right to have counsel appointed in civil cases. The Court may appoint counsel for indigent civil litigants under 28 U.S.C. § 1915(e)(1), but should do so only under “exceptional circumstances.” *Agyeman v. Corrections Corp. of Am.*, 390 F.3d 1101, 1103 (9th Cir. 2004). A finding of exceptional circumstances requires an evaluation of both the likelihood of success on the merits and the ability of the plaintiff to articulate her claims *pro se* in light of the complexity of the legal issues involved. *Weygandt v. Look*, 718 F.2d 952, 954 (9th Cir. 1983). At this early point, Ms. Holmes-James’ complaint presents insufficient evidence

1 indicating that there is a likelihood of success on the merits. She has therefore not presented
2 exceptional circumstances that would justify the appointment of counsel at this time.
3 Accordingly, Ms. Holmes-James' motion to appoint counsel is **DENIED with without**
4 **prejudice**. She may renew her application in the future if exceptional circumstances arise. Any
5 renewal should include a complete application for court-appointed counsel.

6 The Clerk is directed to send copies of this Order to plaintiff and to the Honorable Robert
7 S. Lasnik.

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9 DATED this 24th day of March, 2017.

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12 BRIAN A. TSUCHIDA
13 United States Magistrate Judge
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