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6 UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
7 AT SEATTLE

8 MYCHAL OWENS,

9 Plaintiff,

10 v.

11 JOHN DOE, et. al.,

12 Defendant.

CASE NO. C17-1027 JCC-BAT

**ORDER DENYING MOTION TO  
APPOINT COUNSEL**

13 Mychal Owens, proceeding *pro se* and *in forma pauperis* in this civil rights action filed  
14 two motions to appoint counsel. Dkt. 6; Dkt. 13. For the following reasons, the Court **DENIES**  
15 the motions **without prejudice**.

16 Generally, a person has no right to counsel in a civil action. *See Campbell v. Burt*, 141  
17 F.3d 927, 931 (9th Cir. 1998). The Court may appoint counsel for indigent civil litigants under  
18 28 U.S.C. § 1915(e)(1), but only under “exceptional circumstances.” *Agyeman v. Corrections*  
19 *Corp. of Am.*, 390 F.3d 1101, 1103 (9th Cir. 2004). When determining whether “exceptional  
20 circumstances” exist, the Court considers “the likelihood of success on the merits as well as the  
21 ability of the [plaintiff] to articulate his claims *pro se* in light of the complexity of the legal issues  
22 involved.” *Weygandt v. Look*, 718 F.2d 952, 954 (9th Cir. 1983). At this early point, the  
23 complaint presents insufficient evidence indicating that there is a likelihood of success on the

ORDER DENYING MOTION TO APPOINT  
COUNSEL - 1

1 merits. Mr. Owens therefore has not presented exceptional circumstances that would justify the  
2 appointment of counsel at this time. Accordingly, the Court **DENIES** Mr. Owens' motions to  
3 appoint counsel **without prejudice**. Dkt. 6; Dkt. 13. The Clerk shall send a copy of this Order to  
4 Mr. Owens.

5 DATED this 8<sup>th</sup> day of September, 2017.

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9 BRIAN A. TSUCHIDA  
10 United States Magistrate Judge  
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