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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 Defendants.

CASE NO. C17-1027-JCC-BAT

**ORDER GRANTING MOTION FOR  
EXTENSION OF TIME TO  
COMPLETE DISCOVERY AND  
DENYING MOTION TO APPOINT  
OF COUNSEL**

13 Plaintiff Mychal Owens has filed a motion for extension of time to complete discovery  
14 (Dkt. 21) and a motion to appoint counsel (Dkt. 22). For the following reasons, the Court  
15 **GRANTS** the motion for extension of time and **DENIES** the motion to appoint counsel.

16 EXTENSION OF TIME TO COMPLETE DISCOVERY

17 Previously, the Court granted Mr. Owens a 30-day extension of time, from December 10,  
18 2017, to January 9, 2018, to complete discovery because he was being transferred to another  
19 institution and would not have access to his legal materials during the transfer. Dkt. 17, 20. Mr.  
20 Owens now requests an additional extension of time, stating that he has not received his legal  
21 materials at his new facility. Dkt. 21. Defendants have responded stating that they do not oppose  
22 an extension of time for 30 days. Dkt. 24. The Court **GRANTS** the motion (Dkt. 21) and  
23 **ORDERS** as follows:

ORDER GRANTING MOTION FOR  
EXTENSION OF TIME TO COMPLETE  
DISCOVERY AND DENYING MOTION TO  
APPOINT OF COUNSEL - 1

1           1.       The deadline to complete discovery is extended from January 9, 2018 to  
2                   **February 8, 2018.**

3           2.       The deadline to file and serve dispositive motions is extended from February 8,  
4                   2018 to **March 12, 2018.**

5                               MOTION TO APPOINT COUNSEL

6           The Court previously denied Mr. Owens's two motions to appoint counsel without  
7       prejudice. Dkt. 15. Mr. Owens has renewed his request for appointment of counsel. Dkt. 22. As  
8       the Court noted before, generally, a person has no right to counsel in a civil action. *See Campbell*  
9       *v. Burt*, 141 F.3d 927, 931 (9th Cir. 1998). The Court may appoint counsel for indigent civil  
10      litigants under 28 U.S.C. § 1915(e)(1), but only under "exceptional circumstances." *Agyeman v.*  
11      *Corrections Corp. of Am.*, 390 F.3d 1101, 1103 (9th Cir. 2004). When determining whether  
12      "exceptional circumstances" exist, the Court considers "the likelihood of success on the merits as  
13      well as the ability of the [plaintiff] to articulate his claims pro se in light of the complexity of the  
14      legal issues involved." *Weygandt v. Look*, 718 F.2d 952, 954 (9th Cir. 1983). The Court finds  
15      that, as with his first two requests, Mr. Owens has not presented exceptional circumstances that  
16      would justify the appointment of counsel at this early stage of the litigation. Accordingly, the  
17      Court **DENIES** Mr. Owens's motion to appoint counsel (Dkt. 22) **without prejudice.**

18           The Clerk shall send a copy of this Order to Mr. Owens.

19           DATED this 18th day of December, 2017.

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22                               \_\_\_\_\_  
23                               BRIAN A. TSUCHIDA  
                                  United States Magistrate Judge