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2 UNITED STATES DISTRICT COURT
3 WESTERN DISTRICT OF WASHINGTON
4 AT SEATTLE

5 NICHOLAS STERLING LITTLE,

6 Petitioner,

7 v.

8 RONALD HAYNES,

9 Respondent.

C20-1071 TSZ

MINUTE ORDER

10 The following Minute Order is made by direction of the Court, the Honorable Thomas S. Zilly, United States District Judge:

11 (1) Petitioner's motion to appoint counsel, docket no. 60, is DENIED. After reviewing Petitioner's habeas petition brought under 28 U.S.C. § 2254, docket no. 6, and the Honorable Michelle L. Peterson's Report and Recommendation ("R&R"), docket no. 59, the Court concludes that the appointment of counsel is not necessary to file objections to the R&R, nor is it required in the interest in justice. See Order (docket no. 58 at 6-7) (citing *Weygandt v. Look*, 718 F.2d 952, 954 (9th Cir. 1983) (per curiam) (explaining appointment of counsel in habeas proceedings is required if necessary for effective utilization of discovery procedures or if an evidentiary hearing is required)); accord *Duckett v. Godinez*, 67 F.3d 734, 750 n.8 (9th Cir. 1995); see also 28 U.S.C. § 2254(h) (providing that a court may, in its discretion, "appoint counsel for an applicant who is or becomes financially unable to afford counsel").

16 (2) The Clerk is directed to send a copy of this Minute Order to pro se Petitioner, all counsel of record, and Judge Peterson.

17 Dated this 7th day of June, 2021.

18
19 William M. McCool

20 Clerk

21 s/Gail Glass

22 Deputy Clerk