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UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

JEREMIAH JOSHUA PARK,

Plaintiff,

v.

COWLITZ COUNTY et al.

Defendant.

CASE NO. 11-5097BHS

ORDER DENYING APPOINTMENT
OF COUNSEL

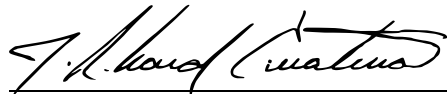
This 42 U.S.C. § 1983 civil rights action has been referred to the undersigned Magistrate Judge pursuant to Title 28 U.S.C. §§ 636(b)(1)(A) and (B) and Local Magistrate Judge Rules MJR 1, MJR 3, and MJR 4. Plaintiff has filed a motion for appointment of counsel (ECF No. 12).

There is no right to have counsel appointed in cases brought under 42 U.S.C. § 1983. Although the court can request counsel to represent a party, 28 U.S.C. § 1915(e)(1), the court may do so only in exceptional circumstances. Wilborn v. Escalderon, 789 F.2d 1328, 1331 (9th Cir. 1986); Franklin v. Murphy, 745 F.2d 1221, 1236 (9th Cir.

1 1984); Aldabe v. Aldabe, 616 F.2d 1089 (9th Cir. 1980). A finding of exceptional
2 circumstances requires an evaluation of both the likelihood of success on the merits and
3 the ability of the plaintiff to articulate his claims pro se in light of the complexity of the
4 legal issues involved. Wilborn, 789 F.2d at 1331.

5 Plaintiff has demonstrated an adequate ability to articulate his claims pro se and
6 has not made an argument regarding the likelihood of success on the merits. The court is
7 not in a position to evaluate the likelihood of success on the merits as plaintiff has not
8 informed the court what disability he claims to have and what medical treatment he was
9 allegedly denied. Without this information, the court cannot evaluate if the alleged denial
10 caused him harm. The motion is DENIED.
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12 DATED this 6th day of July, 2011.

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14 J. Richard Creatura
15 United States Magistrate Judge
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