

1 HONORABLE RONALD B. LEIGHTON

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6 UNITED STATES DISTRICT COURT  
7 WESTERN DISTRICT OF WASHINGTON  
8 AT TACOMA

9 PARAMJIT SINGH BASRA,

10 Plaintiff,

v.

11 RICHARD MORGAN, et al.,

12 Defendants.

CASE NO. C16-6005 RBL-JRC

ORDER ON MOTION FOR  
APPOINTMENT OF COUNSEL

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14 THIS MATTER is before the Court on Plaintiff's application for appointment of counsel  
15 [Dkt. # 55]. Plaintiff, a *pro se* inmate, contends that he is illiterate and unfamiliar with the legal  
16 process and needs appointed counsel to assist him. Plaintiff also asserts that several attorneys and  
17 firms have declined to represent him in this matter.

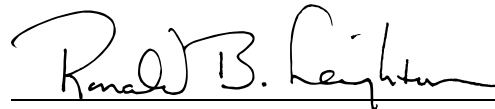
18 No constitutional right to counsel exists for an indigent plaintiff in a civil case unless the  
19 plaintiff may lose his physical liberty if he loses the litigation. *See Lassiter v. Dept. of Social*  
20 *Servs.*, 452 U.S. 18, 25 (1981). However, pursuant to 28 U.S.C. § 1915(e)(1), the Court has the  
21 discretion to appoint counsel for indigent litigants who are proceeding IFP. *United States v.*  
22 *\$292,888.04 in U.S. Currency*, 54 F.3d 564, 569 (9th Cir. 1995). The Court will appoint counsel  
23 only under "exceptional circumstances." *Id.*; *Wilborn v. Escalderon*, 789 F.2d 1328, 1331 (9th

1 Cir. 1986). “A finding of exceptional circumstances requires an evaluation of both the likelihood  
2 of success on the merits and the ability of the plaintiff to articulate his claims *pro se* in light of  
3 the complexity of the legal issues involved.” *Wilborn*, 789 F.2d at 1331 (internal quotations  
4 omitted). These factors must be viewed together before reaching a decision on whether to  
5 appoint counsel under § 1915(e)(1). *Id.*

6 Under the facts known by the Court, there is no good reason to appoint counsel at  
7 taxpayer expense. Plaintiff has been able to articulate his claims and positions without difficulty  
8 in his filings, and has not demonstrated a likelihood of success on the merits. Accordingly,  
9 Plaintiff’s application for appointment of counsel [Dkt. #55] is **DENIED**.

10 IT IS SO ORDERED.

11 Dated this 30<sup>th</sup> day of April, 2018.

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13 Ronald B. Leighton  
14 United States District Judge