

UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF
CALIFORNIA

David Bennett v. Atascadero State Hospital

No. 2:25-cv-3738 DAD AC P (E.D. Cal. Jan. 13, 2026) · No. No. 2:25-cv-3738 DAD AC P · Decided January 14, 2026

SUMMARY

The United States District Court for the Eastern District of California denied David Bennett’s request for appointment of counsel and a guardian ad litem. The court found no exceptional circumstances warranting counsel and concluded that Bennett had not shown incompetence or a protectable interest requiring appointment of a guardian ad litem.

CASE DETAILS

COURT	United States District Court for the Eastern District of California
WRITING FOR THE COURT	Allison Claire
JURISDICTION	United States District Court for the Eastern District of California
DECIDED	January 14, 2026
DOCKET	No. 2:25-cv-3738 DAD AC P
DISPOSITION	other
PROCEDURAL POSTURE	Plaintiff moved for appointment of counsel and a guardian ad litem in a prisoner civil-rights action.
STANDARD OF REVIEW	The court applied the legal standards governing discretionary requests for voluntary appointment of counsel and the mandatory appointment of a guardian ad litem for an unrepresented minor or incompetent person.
PRECEDENTIAL VALUE	Nonprecedential district court order
PARTIES	David Bennett v. Atascadero State Hospital

TOPICS

- guardian ad litem
- guardianships
- civil rights
- section 1983
- civil procedure

PRACTICE AREAS

- civil procedure
- prisoner civil rights
- guardianship procedure

QUESTIONS PRESENTED

1. Whether exceptional circumstances warranted the court's request for voluntary appointment of counsel under 28 U.S.C. § 1915(e)(1).
2. Whether the court was required to appoint a guardian ad litem under Federal Rule of Civil Procedure 17(c)(2) based on plaintiff's claimed incompetence.
3. Whether plaintiff had a protectable interest requiring appointment of a guardian ad litem.

HOLDINGS

1. Appointment of counsel was not warranted because plaintiff failed to demonstrate exceptional circumstances, including a likelihood of success on the merits or an inability to articulate his claims in light of their complexity.
2. Appointment of a guardian ad litem was not required because plaintiff did not present substantial evidence of incompetence and had no protectable interest in the action.
3. Plaintiff did not establish incompetence under the applicable California capacity standard.

KEY QUOTATIONS

“When determining whether ‘exceptional circumstances’ exist, a court must consider ‘the likelihood of success on the merits as well as the ability of the [plaintiff] to articulate his claims pro se in light of the complexity of the legal issues involved.’” (at 1)

“The court need not hold a competency hearing “when it is clear that a litigant has no protectable interest.”” (at 2)

FACTUAL BACKGROUND

Bennett, proceeding pro se, requested appointment of counsel and a guardian ad litem. He asserted that he had been found incompetent to stand trial in a state criminal proceeding and was being involuntarily medicated, but supplied no state-court incompetency order or mental-health records. The court found that his filings were coherent and clearly articulated the relief sought and the grounds for it, and that his complaint asserted a noncognizable Freedom of Information Act claim against a state entity.

PROCEDURAL HISTORY

Plaintiff filed an action against Atascadero State Hospital and requested appointment of counsel and a guardian ad litem. Findings and recommendations pending before the district judge recommended dismissal because the complaint failed to state a claim and the defects could not be cured by amendment. The magistrate judge denied both appointment requests.

DISPOSITION

other

CASES CITED

- *Mallard v. United States Dist. Court*, 490 U.S. 296, 298 (1989)
- *Terrell v. Brewer*, 935 F.2d 1015, 1017 (9th Cir. 1991)
- *Wood v. Housewright*, 900 F.2d 1332, 1335-36 (9th Cir. 1990)
- *Palmer v. Valdez*, 560 F.3d 965, 970 (9th Cir. 2009)
- *Weygandt v. Look*, 718 F.2d 952, 954 (9th Cir. 1983)
- *Allen v. Calderon*, 408 F.3d 1150, 1152-53 (9th Cir. 2005)
- *Krain v. Smallwood*, 880 F.2d 1119, 1121 (9th Cir. 1989)
- *Harris v. Mangum*, 863 F.3d 1133, 1138-39 (9th Cir. 2017)
- *Golden Gate Way, LLC v. Stewart*, 2012 WL 4482053, at *2, 2012 U.S. Dist. LEXIS 140780, at *11-12 (N.D. Cal. Sept. 28, 2012)
- *In re Jessica G.*, 93 Cal. App. 4th 1180, 1186 (2001)
- *In re Sara D.*, 87 Cal. App. 4th 661, 666-67 (Cal. Ct. App. 2001)

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