

UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF CALIFORNIA

Meraz-Espinoza v. Santoyo

No. 23-cv-05947-WHO (PR) (N.D. Cal. Apr. 15, 2025) · No. 23-cv-05947-WHO (PR) · Decided April 15, 2025

SUMMARY

The United States District Court for the Northern District of California granted the defendant’s motion to extend the dispositive-motion deadline to July 7, 2025. The court denied the plaintiff’s motion for appointment of counsel, finding no exceptional circumstances because the claims were not legally complex, the filings were clear, and there was no immediate need for legal research. The court stated it would reconsider appointment of counsel if circumstances later warranted.

CASE DETAILS

COURT	United States District Court for the Northern District of California
WRITING FOR THE COURT	William H. Orrick
JURISDICTION	United States District Court for the Northern District of California
DECIDED	April 15, 2025
DOCKET	23-cv-05947-WHO (PR)
DISPOSITION	other
PROCEDURAL POSTURE	In a prisoner civil-rights action, the defendant moved to extend the dispositive-motion deadline, and the plaintiff moved for appointment of counsel under 28 U.S.C. § 1915.
STANDARD OF REVIEW	Appointment of counsel for an indigent litigant under 28 U.S.C. § 1915 is reviewed under the trial court's sound discretion and requires exceptional circumstances, evaluated by considering the likelihood of success on the merits and the plaintiff's ability to articulate claims pro se in light of the complexity of the legal issues.
PRECEDENTIAL VALUE	Unpublished district court order; precedential status not stated.

TOPICS

- prisoners rights
- civil procedure

PRACTICE AREAS

QUESTIONS PRESENTED

1. Whether the defendant should receive an extension of the dispositive-motion filing deadline.
2. Whether exceptional circumstances justified appointing counsel for the indigent pro se plaintiff under 28 U.S.C. § 1915.

HOLDINGS

1. The defendant's motion to extend the dispositive-motion filing deadline was granted, requiring the dispositive motion to be filed by July 7, 2025, with opposition and reply deadlines set by the court.
2. Appointment of counsel was unwarranted because the plaintiff did not demonstrate exceptional circumstances. Clear filings, noncomplex legal issues, and the absence of an immediate need for legal research weighed against appointment.

KEY QUOTATIONS

“the sound discretion of the trial court and is granted only in “exceptional circumstances.”” (at 1)

“Meraz-Espinoza has not shown that exceptional circumstances exist.” (at 2)

FACTUAL BACKGROUND

Meraz-Espinoza, an incarcerated pro se plaintiff, alleged that jailors failed to protect him from another inmate and failed to summon medical help. He argued that insufficient prison law-library access, the complexity of the issues, and the benefits of counsel justified appointment of counsel. The court found that his filings were clear, that the case did not present complex legal issues, and that there was no immediate need for legal research because the defendant had not yet filed a dispositive motion.

PROCEDURAL HISTORY

The action was pending in the Northern District of California before dispositive motions had been filed. The court granted the defendant additional time to file a dispositive motion and denied the plaintiff's motion for appointment of counsel, while leaving open the possibility of reconsideration if circumstances later warranted.

DISPOSITION

other

CASES CITED

- Franklin v. Murphy, 745 F.2d 1221, 1236 (9th Cir. 1984)
- Agyeman v. Corrections Corp. of America, 390 F.3d 1101, 1103 (9th Cir. 2004)
- Rand v. Rowland, 113 F.3d 1520, 1525 (9th Cir. 1997)

OPINION

Meraz-Espinoza v. Santoyo

PER CURIAM.

1 2 3

4 UNITED STATES DISTRICT COURT

5 NORTHERN DISTRICT OF CALIFORNIA

6 7 MOISES MERAZ-ESPINOZA, Case No. 23-cv-05947-WHO (PR) Plaintiff, 8 ORDER
EXTENDING TIME; v. 9

ORDER DENYING MOTION FOR

10 H. SANTOYO, THE APPOINTMENT OF
COUNSEL

Defendant. 11 Dkt. Nos. 28 and 31 12 13 Defendant's motion to extend the dispositive motion
filing deadline is GRANTED. 14 (Dkt. No. 31.) Defendant shall file his dispositive motion on or
before July 7, 2025. 15 Plaintiff Meraz-Espinoza's opposition shall be filed within 45 days after
defendant's 16 motion is filed. Defendant's reply shall be filed within 15 days after the opposition
is 17 filed. The motion shall be deemed submitted on the day the reply brief is due. 18 Meraz-
Espinoza has filed a motion for the appointment of counsel in which he 19 contends that his prison
law library access is insufficient, the issues in his suit are complex, 20 and he would be better
served with the assistance of counsel. (Dkt. No. 28 at 2-4.) The 21 decision to request counsel to
represent an indigent litigant under 28 U.S.C. § 1915 is 22 within "the sound discretion of the trial
court and is granted only in exceptional 23 circumstances." Franklin v. Murphy, 745 F.2d 1221,
1236 (9th Cir. 1984). A finding of 24 "exceptional circumstances" requires an evaluation of the
likelihood of the plaintiff's 25 success on the merits and an evaluation of the plaintiff's ability to
articulate his claims pro 26 se in light of the complexity of the legal issues involved. See Agyeman
v. Corrections 27 Corp. of America, 390 F.3d 1101, 1103 (9th Cir. 2004). Neither the need for
discovery, 1 || nor the fact that the pro se litigant would be better served with the assistance of
counsel, 2 || necessarily qualify the issues involved as complex. See Rand v. Rowland, 113 F.3d
1520, 3 || 1525 (9th Cir. 1997). 4 There is no doubt that not having a lawyer puts a party at a
disadvantage in our 5 || adversarial system of justice. Across the United States in 2020,
unrepresented prisoners 6 || filed almost 8000 cases, roughly 16.65% of all new civil filings.
United States Courts for 7 || the Ninth Circuit, 2020 Annual Report, 8 || [https://cdn.ca9.uscourts.
gov/datastore/judicialcouncil/publications /AnnualReport2020.pdf](https://cdn.ca9.uscourts.gov/datastore/judicialcouncil/publications/AnnualReport2020.pdf). 9 || The high percentage of
civil litigants who cannot afford counsel threatens our ability to 10 || dispense equal justice to rich
and poor alike, as the judicial oath demands. That said, I am 11 || compelled to follow controlling
precedent and determine if "exceptional circumstances" 2 exist to appoint counsel in the cases
before me. 5 13 Meraz-Espinoza has not shown that exceptional circumstances exist. His filings
are S 14 || clear, and the suit does not present complex legal issues: his claims are that his jailors 3
15 || failed to protect him from another inmate and failed to summon medical help. a 16 ||

Furthermore, there is no immediate need for Meraz-Espinoza to conduct any legal 17 || research. Defendant has not filed his motion and the extension granted above will allow 18 || Meraz-Espinoza further time to access the law library insofar as any is needed at this early 19 || stage of litigation. Accordingly, the motion for the appointment of counsel is DENIED. I 20 || will reconsider the necessity of appointing counsel if circumstances warrant such action at 21 || a later date. 22 The Clerk shall terminate all pending motions. 23 IT IS SO ORDERED. 24 || Dated: April 15, 2025 . KQe 25 Y .

ILLIAM H. ORRICK

26 United States District Judge 27 28