

UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF
CALIFORNIA

Joseph Emmanuel Gaxiola v. City of Modesto, et al.

Gaxiola v. City of Modesto · No. 2:25-cv-0556-DMC-P · Decided June 9, 2025

SUMMARY

The United States District Court for the Eastern District of California denied a pro se prisoner’s motion for appointment of counsel in a 42 U.S.C. § 1983 action. The court concluded that the plaintiff had not shown exceptional circumstances because his asserted financial limitations, limited legal knowledge, and physical disabilities did not prevent him from coherently presenting claims that were not factually or legally complex.

CASE DETAILS

COURT	United States District Court for the Eastern District of California
WRITING FOR THE COURT	Dennis M. Cota
JURISDICTION	United States District Court for the Eastern District of California
DECIDED	June 9, 2025
DOCKET	2:25-cv-0556-DMC-P
DISPOSITION	other
PROCEDURAL POSTURE	Plaintiff, a prisoner proceeding pro se in a 42 U.S.C. § 1983 civil rights action, moved for appointment of counsel under 28 U.S.C. § 1915(e)(1).
STANDARD OF REVIEW	The court applied the exceptional-circumstances standard governing requests for voluntary assistance of counsel in prisoner civil rights cases.
PRECEDENTIAL VALUE	unpublished, nonprecedential district court order
PARTIES	Joseph Emmanuel Gaxiola v. City of Modesto, et al.

TOPICS

- prisoners rights
- section 1983
- civil rights
- civil procedure

PRACTICE AREAS

QUESTIONS PRESENTED

1. Whether the district court should request voluntary counsel for an indigent prisoner in a § 1983 action under the exceptional-circumstances standard.
2. Whether plaintiff's financial hardship, limited legal knowledge, physical disabilities, and the asserted need for trial assistance established exceptional circumstances.

HOLDINGS

1. A district court lacks authority to require counsel to represent an indigent prisoner in a § 1983 case; it may only request voluntary assistance in appropriate exceptional circumstances.
2. Exceptional circumstances were not established because plaintiff's likelihood of success and ability to articulate his claims did not justify appointment, and his asserted financial hardship, limited legal education, physical disabilities, and need for trial assistance were not exceptional under the circumstances.

KEY QUOTATIONS

“Circumstances common to most prisoners, such as lack of legal education and limited law library access, do not establish exceptional circumstances that would warrant a request for voluntary assistance of counsel.” (at 1)

FACTUAL BACKGROUND

Plaintiff is incarcerated and proceeding without counsel in a § 1983 action. He asserted that he could not afford an attorney, had limited legal knowledge, and needed assistance with the trial process. He also identified visual impairment, mobility issues, a seizure disorder, and chronic back pain, but his filings were coherent and demonstrated an ability to present claims that were not factually or legally complex.

PROCEDURAL HISTORY

Gaxiola filed a prisoner civil rights action against the City of Modesto and other defendants and moved for appointment of counsel. The district court denied the motion, finding no exceptional circumstances because the asserted financial hardship, limited legal knowledge, and physical disabilities did not prevent him from coherently presenting claims that were neither factually nor legally complex.

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)
- Wilborn v. Escalderon, 789 F.2d 1328, 1331 (9th Cir. 1986)
- Weygandt v. Look, 718 F.2d 952, 954 (9th Cir. 1983)

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