

UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF
CALIFORNIA

Scroggins v. Smith

Scroggins · No. 1:24-cv-00519-JLT-CDB (HC) · Decided August 26, 2025

SUMMARY

The United States District Court for the Eastern District of California denied without prejudice Randy Lee Scroggins’s second motion for appointment of counsel in his 28 U.S.C. § 2254 habeas proceeding. The court held that Petitioner had not shown that counsel was necessary or warranted at that stage, and that his asserted lack of resources, legal training, and the alleged complexity of the case did not establish exceptional circumstances.

CASE DETAILS

COURT	United States District Court for the Eastern District of California
JURISDICTION	United States District Court for the Eastern District of California
DECIDED	August 26, 2025
DOCKET	1:24-cv-00519-JLT-CDB (HC)
DISPOSITION	other
PROCEDURAL POSTURE	A state prisoner proceeding pro se in a 28 U.S.C. § 2254 habeas proceeding filed a second motion for appointment of counsel. The district court denied the motion without prejudice.
STANDARD OF REVIEW	Appointment of counsel in a federal habeas proceeding is discretionary and depends on whether the circumstances indicate that counsel is necessary to prevent a due process violation or otherwise warranted under the governing statute and habeas rules.
PRECEDENTIAL VALUE	Unpublished district court order; limited persuasive value.
PARTIES	Randy Lee Scroggins v. Steve Smith

TOPICS

- federal habeas corpus
- post-conviction relief
- due process
- procedural due process
- civil procedure

PRACTICE AREAS

- federal habeas corpus
- post-conviction relief
- appointment of counsel

QUESTIONS PRESENTED

1. Whether the Court should appoint counsel for a pro se state prisoner in a federal habeas proceeding based on indigency, lack of legal training, the anticipated need to respond to the respondent's filing, and alleged factual and legal complexity.

HOLDINGS

1. There is no constitutional right to counsel in federal habeas proceedings.
2. Appointment of counsel was not necessary or warranted at this stage because Petitioner did not demonstrate exceptional circumstances, a need to prevent a due process violation, or circumstances requiring counsel under the applicable statute and habeas rules.

KEY QUOTATIONS

“There is no constitutional right to counsel in federal habeas proceedings.” (at 1)

“Therefore, at this stage, the circumstances of this case do not indicate that appointed counsel is necessary or that failure to appoint counsel necessarily would implicate due process concerns.” (at 2)

FACTUAL BACKGROUND

Randy Lee Scroggins, a state prisoner proceeding without counsel, filed a federal habeas petition under 28 U.S.C. § 2254. He sought appointment of counsel, asserting that he lacked financial resources and legal training, needed to review Respondent's response, and faced complex legal issues and an unusual factual record involving trial-court evidentiary rulings and Confrontation Clause issues. The Court found those circumstances insufficient to establish a need for appointed counsel at that stage.

PROCEDURAL HISTORY

Petitioner filed a petition for writ of habeas corpus under 28 U.S.C. § 2254. After the Court ordered Respondent to respond, Petitioner filed a second motion seeking appointment of counsel based on indigency, lack of legal training, the need to respond to the anticipated filing, and the asserted complexity of the case. The Court denied the motion without prejudice.

DISPOSITION

other

CASES CITED

- Coleman v. Thompson, 501 U.S. 722, 752 (1991)
- Bonin v. Vasquez, 999 F.2d 425, 429 (9th Cir. 1993)
- Chaney v. Lewis, 801 F.2d 1191, 1196 (9th Cir. 1986)

OPINION

(HC) Scroggins v. Smith

PER CURIAM.

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8 UNITED STATES DISTRICT COURT

9 EASTERN DISTRICT OF CALIFORNIA

10 11 RANDY LEE SCROGGINS, Case No. 1:24-cv-00519-JLT-CDB (HC) 12 Petitioner,
ORDER DENYING SECOND MOTION FOR

APPOINTMENT OF COUNSEL

13 v. (Doc. 14)

14 STEVE SMITH,

15 Respondent. 16

17 Petitioner Randy Lee Scroggins (“Petitioner”), a state prisoner, proceeds pro se with a 18
petition for writ of habeas corpus filed under 28 U.S.C. § 2254. (Doc. 1). Pending before the Court
19 is Petitioner’s second motion for the Court to appoint counsel to represent him. (Doc. 14). In 20
support of his motion, Petitioner advances the following grounds: (1) he lacks financial resources
21 to retain an attorney; (2) he has no legal training; (3) the Court has ordered Respondent to
respond 22 to the petition and, thus, Petitioner must review the response to prepare his traverse;
and (3) the 23 legal issue brought in his petition and addressed in any response is complex and
involves an unusual 24 fact pattern. (Doc. 14 at 2-3). 25 There is no constitutional right to counsel
in federal habeas proceedings. *Coleman v. Thompson*, 501 U.S. 722, 752 (1991); *Bonin v.*
Vasquez, 999 F.2d 425, 429 (9th Cir. 1993). 27 However, the Criminal Justice Act 18 U.S.C. §
3006A, authorizes the Court to appoint counsel for nnn nnn eon nnn nn ee EI EO IE I 1 interest of
justice so require.” *Jd.* at § 3006A(a)(2)(B); see *Chaney v. Lewis*, 801 F.2d 1191, 1196 2 | (9th Cir.
1986) (“Indigent state prisoners applying for habeas corpus relief are not entitled to 3 || appointed
counsel unless the circumstances of a particular case indicate that appointed counsel is 4 |
necessary to prevent due process violations.”). Moreover, the Rules Governing Section 2254 Cases
5 | in the United States District Courts require the Court to appoint counsel: (1) where discovery is
6 | authorized on a showing of good cause and counsel is deemed “necessary” to facilitate effective
7 | discovery; or (2) when the court has determined that an evidentiary hearing is warranted for the
8 | disposition of a petition. See Habeas Rules 6(a) and 8(c). 9 The Court finds Petitioner has not
demonstrated that appointment of counsel is necessary 10 | or warranted at this stage of
proceedings. Although Petitioner asserts that this case involves a 11 | complex legal issue and
contains an unusual factual record, the Court notes that the types of trial 12 | court evidentiary
rulings and related Confrontation Clause issues implicated in this case are not 13 | unusual in
habeas proceedings. Furthermore, Petitioner has not shown any exceptional 14 || circumstances
warrant the appointment of counsel at this stage. Petitioner’s proffered difficulties 15 | with his
lack of education and legal training are shared with many other habeas petitioners. 16 | Therefore,
at this stage, the circumstances of this case do not indicate that appointed counsel is 17 | necessary

or that failure to appoint counsel necessarily would implicate due process concerns. 18
Accordingly, it is HEREBY ORDERED that Petitioner's second motion for appointment of 19 |
counsel (Doc. 14) is DENIED WITHOUT PREJUDICE. 20 | IT IS SOORDERED. Dated: _
August 25, 2025 | hr

22 UNITED STATES MAGISTRATE JUDGE

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