

UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF
CALIFORNIA

Forrest Kendrid v. Yahiya, et al.

Kendrid · No. No. 2:23-cv-1145 TLN CSK P · Decided October 8, 2025

SUMMARY

The United States District Court for the Eastern District of California denied Forrest Kendrid’s motion for appointment of counsel in his civil rights action against Yahiya and others. The court found no exceptional circumstances warranting appointed counsel and granted plaintiff’s motion for an extension of time to oppose defendants’ summary judgment motion, setting the deadline for November 10, 2025.

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	October 8, 2025
DOCKET	No. 2:23-cv-1145 TLN CSK P
DISPOSITION	other
PROCEDURAL POSTURE	In a pending civil rights action brought by a formerly detained, indigent, self-represented plaintiff, the court resolved plaintiff's motion for appointment of counsel and motion for an extension of time to oppose defendants' summary judgment motion.
STANDARD OF REVIEW	Discretionary determination whether exceptional circumstances warrant appointment of counsel under 28 U.S.C. § 1915(e)(1); good-cause determination for an extension of time.
PRECEDENTIAL VALUE	Unknown; unpublished district court order

TOPICS

- summary judgment
- civil rights
- prisoners rights
- civil procedure

PRACTICE AREAS

- civil procedure
- civil rights
- prisoner civil rights

QUESTIONS PRESENTED

1. Whether exceptional circumstances existed warranting appointment of counsel for an indigent civil litigant under 28 U.S.C. § 1915(e)(1).
2. Whether plaintiff established good cause for an extension of time to oppose defendants' motion for summary judgment.

HOLDINGS

1. Appointment of counsel was not warranted because plaintiff did not establish exceptional circumstances. The court could not determine that plaintiff was likely to succeed on the merits, and the issues were not sufficiently complex to overcome his demonstrated ability to articulate his claims and participate in the litigation.
2. Plaintiff was granted an extension of time, based on good cause, to file his opposition to defendants' summary judgment motion by November 10, 2025.

KEY QUOTATIONS

“It is “well-established that there is generally no constitutional right to counsel in civil cases.”” (at 1)

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

FACTUAL BACKGROUND

Plaintiff is a former detainee proceeding without counsel and in forma pauperis in a civil rights action concerning alleged inadequate mental-health treatment and retaliation. He was released from the California Medical Facility on or around June 19, 2024. Plaintiff sought counsel based on his lack of access to a law library and legal assistance and his physical condition and disabilities, and sought additional time to oppose defendants' summary judgment motion.

PROCEDURAL HISTORY

Defendants filed a motion for summary judgment on September 17, 2025. Plaintiff then moved for appointment of counsel and for additional time to respond, citing his physical condition, disabilities, lack of access to legal resources, and inability to use a law library. The court denied appointment of counsel but granted an extension until November 10, 2025, to oppose the summary judgment motion.

DISPOSITION

other

CASES CITED

- United States v. Sardone, 94 F.3d 1233, 1236 (9th Cir. 1996)
- Palmer v. Valdez, 560 F.3d 965, 970 (9th Cir. 2009)

