

UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF  
CALIFORNIA

**Raghvendra Singh v. CDCR, et al.**

Singh v. CDCR · No. 2:24-cv-3294 SCR P · Decided May 15, 2025

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OPINION

(PC) Singh v. CDCR

PER CURIAM.

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8 UNITED STATES DISTRICT COURT

9 FOR THE EASTERN DISTRICT OF CALIFORNIA

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11 RAGHVENDRA SINGH, No. 2:24-cv-3294 SCR P

12 Plaintiff, 13 v. ORDER 14 CDCR, et al., 15 Defendants. 16 17 Plaintiff is a former state  
prisoner proceeding pro se in an action brought under 42 U.S.C. 18 § 1983. Plaintiff requests that  
the court appoint counsel. 19 District courts lack authority under 28 U.S.C. § 1915 to require  
counsel to represent 20 indigent prisoners in section 1983 cases. *Mallard v. United States Dist.*  
*Court*, 490 U.S. 296, 298 21 (1989). In exceptional circumstances, the court may request that an  
attorney voluntarily represent 22 such a plaintiff. See 28 U.S.C. § 1915(e)(1); *Terrell v. Brewer*,  
935 F.2d 1015, 1017 (9th Cir. 23 1991); *Wood v. Housewright*, 900 F.2d 1332, 1335-36 (9th Cir.  
1990). The test for exceptional 24 circumstances requires the court to evaluate the plaintiff's  
likelihood of success on the merits and 25 the ability of the plaintiff to articulate his claims pro se  
in light of the complexity of the legal 26 issues involved. See *Wilborn v. Escalderon*, 789 F.2d  
1328, 1331 (9th Cir. 1986); *Weygandt v. 27 Look*, 718 F.2d 952, 954 (9th Cir. 1983).  
Circumstances common to most prisoners, such as lack 28 of legal education and limited law  
library access, do not establish exceptional circumstances that 1 | would warrant a request for  
voluntary assistance of counsel. *Wood*, 900 F.2d at 1335; *Riley v. 2 | Franke*, 340 F. Supp. 3d 783,  
787 (E.D. Wis. 2018). 3 Having considered the relevant factors, the court finds that plaintiff has  
failed to meet his 4 || burden of demonstrating exceptional circumstances warranting the  
appointment of counsel at this 5 || time. 6 Accordingly, IT IS HEREBY ORDERED that plaintiff's  
motion for the appointment of 7 || counsel (ECF No. 5) is denied without prejudice. 8 | DATED:  
May 14, 2025 po 10

11 SEAN C. RIORDAN

UNITED STATES MAGISTRATE JUDGE

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