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**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF ARIZONA**

Lasse Norgaard-Larsen, et al.,  
Plaintiffs,  
v.  
City of Phoenix, et al.,  
Defendants.

No. CV-20-02467-PHX-GMS  
**ORDER**

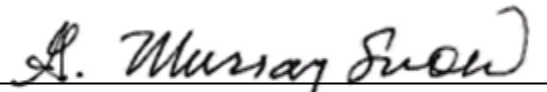
Before the Court is Plaintiffs’ Motion for Appointment of Counsel (Doc. 7). There is no constitutional right to appointed counsel in a civil case. *See Ivey v. Bd. of Regents of Univ. of Alaska*, 673 F.2d 266, 269 (9th Cir. 1982). The Court, however, does have the discretion to appoint counsel in “exceptional circumstances.” *See* 28 U.S.C. § 1915(e)(1); *Wilborn v. Escalderon*, 789 F.2d 1328, 1331 (9th Cir. 1986); *Aldabe v. Aldabe*, 616 F.2d 1089, 1093 (9th Cir. 1980). “A finding of exceptional circumstances requires an evaluation of both ‘the likelihood of success on the merits and the ability of the petitioner to articulate his or her claim *pro se* in light of the complexity of the legal issues involved.’” *Wilborn*, 789 F.2d at 1331(quoting *Weygant v. Look*, 718 F.2d 952, 954 (9th Cir. 1983)); *see Richards v. Harper*, 864 F.2d 85, 87 (9th Cir. 1988). “Neither of these factors is dispositive and both must be viewed together before reaching a decision on request of counsel” under section 1915(e)(1). *Wilborn*, 789 F.2d at 1331.

Having considered both factors, the Court finds that Plaintiffs have not

1 demonstrated a likelihood of success on the merits or that any difficulty they are  
2 experiencing in attempting to litigate their case is due to the complexity of the issues  
3 involved. While Plaintiffs have pointed to financial difficulties that they are experiencing,  
4 such difficulties do not make their case exceptional. Accordingly, at the present time, this  
5 case does not present “exceptional circumstances” requiring the appointment of counsel.

6 **IT IS HEREBY ORDERED** denying Plaintiffs’ Motion to Appoint Counsel  
7 (Doc. 7).

8 Dated this 11th day of January, 2021.

9  
10   
11 G. Murray Snow  
Chief United States District Judge