

No. 26-5308

**IN THE
UNITED STATES COURT OF APPEALS FOR THE NINTH CIRCUIT**

ALLISON BARTON RICE
Plaintiff-Appellant, pro se,
v.
CITY AND COUNTY OF SAN FRANCISCO, et al.
Defendants-Appellees.

On Appeal from the United States District Court
for the Northern District of California
No. 3:19-cv-04250-LB
The Honorable Laurel Beeler

**LETTER TO THE COURT REQUESTING IMMEDIATE
CONSIDERATION OF APPOINTMENT OF COUNSEL**

Plaintiff-Appellant Allison Barton Rice, appearing pro se, respectfully request the Ninth Circuit's immediate consideration of his Motion For Appointment of Counsel at Docket No. 4.1.

Pursuant to this Court's September 4, 2026 Order at Docket No. 9.1, Rice has been diligently working on his statement explaining why this appeal is not frivolous. And, Rice will continue working hard on his statement and he will ensure it is filed within the time frame this Court provided.

Throughout *Rice v. City and County of San Francisco, et al.*, Rice has always been exceptionally diligent in his pro se litigation work. As this Court is well aware, this ordeal began on October 26, 2017, if not earlier. Since that time, Rice has exerted at least 50 hours a week on average—23,000 hours—thus far in intense legal study and research so as to protect his disability rights under federal fair housing law in a manner that is befitting and respectful to the district court, to this Court, and to our judicial process.

However, the amount and the intensity of this work has taken an enormous toll on Rice. There is a particular issue that is the very core and the reason for this case—Rice suffers severe psychological impairments. As this Court is well aware, Rice is a 72 year old 100% service connected medically (and honorably) retired veteran for a psychiatric illness, from the U.S. Vietnam war era. To be clear, and in due respect to those who are, Rice is not a combat veteran.

For this Court's understanding, this is what 100% service connected means, Title 38, Chapter 1, Part 4, Subpart B, Mental Disorders, § 4.130—**Total occupational and social impairment**, due to such symptoms as: gross impairment in thought processes or communication; persistent delusions or hallucinations; grossly inappropriate behavior; persistent danger of hurting self or others; intermittent inability to perform activities of daily living (including maintenance of minimal personal hygiene); disorientation to time or place; memory loss for names of close relatives, own occupation, or own name.

For 49 years and counting, Rice has been just as diligent, as he in this case, in his therapy work to, nonetheless, live a decent life and to be a decent, truthful, honest, respectful, and law abiding productive member of our society despite his crippling severe psychological impairments.

Rice is far from a “couch-potato” and is not a freeloader in any manner. Rice strives every day to participate positively in our society despite the social stigma of mental illness it bears. Furthermore, Rice is not a frivolous person and he has no interest of any kind in pursuing any frivolous endeavor. Rice does greatly appreciate those who can look through his severe psychological impairments and see the person Rice strives to be— a decent, truthful, honest, respectful, and law abiding productive member of our society.

This case has had an enormous negative affect on Rice’s mental health, his physical health (via Allostatic load, the wear and tear on the body which accumulates as an individual is exposed to repeated or chronic stress), his social health, and his financial heath. Consequently, Rice is desperate for truthful and respectful appellate representation.

Therefore, Rice respectfully requests this Court provide immediate consideration of his Motion For Appointment of Counsel at Docket No. 4.1.

DATED: September 15, 2026

Respectfully submitted,

/s/ Allison Barton Rice

Allison Barton Rice

Plaintiff-Appellant, pro se