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

United States of America,
Plaintiff,

v.

Walmar Rocael Morales-Tomas,
Defendant/Movant.

No. CV 16-01961-PHX-DGC (ESW)
CR 11-01622-PHX-DGC

ORDER

On June 17, 2016, Movant Walmar Rocael Morales-Tomas, who is confined in the Cibola County Correctional Center in Milan, New Mexico, submitted a letter to the Court seeking relief under the recent Supreme Court decision in *Johnson v. United States*, ___U.S.___, 135 S. Ct. 2551(2015). The Court filed the letter in a new § 2255 action. On June 22, 2016, the Office of the Federal Public Defender filed a Motion for Appointment of CJA Counsel Pursuant to General Order 16-07 (Doc. 4), asking that the Court appoint attorney Eric Kessler to “review this case and file an appropriate request for relief under *Johnson*.” The Court will grant the Motion.

Counsel must file a notice of appearance within 10 days from the filing date of this Order. Within 30 days from the filing date of this Order, counsel must file either a § 2255 motion or a notice informing the Court that counsel does not intend to pursue relief under § 2255.

IT IS ORDERED:

- (1) The June 22, 2016 Motion to Appoint Counsel (Doc. 4) is **granted**.

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(2) Attorney Eric Kessler is appointed to represent Movant in this matter and must file a notice of appearance within **10 days** from the filing date of this Order.

(3) Within **30 days** from the filing date of this Order, counsel must file either a motion under 28 U.S.C. § 2255 or a notice informing the Court that counsel does not intend to pursue relief under § 2255.

(4) The parties and the Clerk of Court **must file** all documents related to the § 2255 Motion in the **civil case**.

(5) The Clerk of Court must provide a copy of this Order to the Federal Public Defender's Office for the District of Arizona and attorney Eric Kessler.

Dated this 22nd day of July, 2016.



David G. Campbell
United States District Judge