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**UNITED STATES DISTRICT COURT**  
EASTERN DISTRICT OF CALIFORNIA

LEROY DEWITT HUNTER,  <p style="text-align: center;">Plaintiff,</p> <p style="text-align: center;">v.</p> DONNY YOUNGBLOOD, et al.,  <p style="text-align: center;">Defendants.</p>	CASE NO. 1:07-cv-01126-AWI-SKO PC  <b>ORDER APPOINTING VOLUNTARY COUNSEL TO REPRESENT PLAINTIFF IN THIS ACTION</b>  (Doc. 59)  <b>ORDER REQUIRING PLAINTIFF TO FILE STATUS REPORT WITHIN SIXTY DAYS</b>
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Plaintiff Leroy Dewitt Hunter, a prisoner proceeding pro se and in forma pauperis, filed this civil rights action pursuant to 42 U.S.C. § 1983 on August 3, 2007. This action is proceeding on Plaintiff’s second amended complaint, filed on December 16, 2010, against Defendant Parker for use of excessive physical force, in violation of the Due Process Clause of the Fourteenth Amendment.<sup>1</sup> The events at issue occurred at the Lerdo Pretrial Facility in Bakersfield.

On June 21, 2012, the Court issued an order referring this matter to the Pro Bono Program of the Eastern District of California for the appointment of voluntary counsel to represent Plaintiff in this action. Steven M. Karcher was selected from the Court’s pro bono attorney panel to represent Plaintiff and he has agreed to the appointment. Therefore, Mr. Karcher shall be appointed to represent Plaintiff.

Pursuant to the scheduling order issued on March 31, 2011, the discovery deadline was November 30, 2011, and the pretrial dispositive motion deadline was February 9, 2012. (Doc. 42.)

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<sup>1</sup> It appears Plaintiff was a pretrial detainee at the time of the incident.

1 Defendant filed a motion for summary judgment on February 9, 2012, to which a response deadline  
2 has not yet been set. (Docs. 51, 60.)

3 Mr. Karcher shall have sixty days within which to review the record and undertake any initial  
4 investigatory steps he deems necessary, which may or may not include meeting and conferring with  
5 Plaintiff and/or Defendant's counsel. No later than sixty days from the date of service of this order,  
6 Plaintiff shall file a status report regarding his ability to file a response to Defendant's motion for  
7 summary judgment. If both parties seek any amendments to the scheduling order in light of  
8 counsel's appointment, they shall, if possible, reach an agreement and file a joint stipulation to  
9 modification of the scheduling order.

10 Accordingly, IT IS HEREBY ORDERED that:

- 11 1. Steven M. Karcher is appointed to represent Plaintiff in the above entitled matter;
- 12 2. Mr. Karcher shall notify Sujean Park, at (916) 930-4278, or via email at  
13 spark@caed.uscourts.gov, if he has any questions related to the appointment;
- 14 3. The Clerk of the Court is directed to serve a copy of this order upon Steven M.  
15 Karcher, The Karcher Law Firm, 2100 F Street, Suite 240, Bakersfield, California  
16 93301; and
- 17 4. Within **sixty (60) days** from the date of service of this order, Plaintiff shall file a  
18 status report.

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22 IT IS SO ORDERED.

23 **Dated: June 26, 2012**

24 /s/ Sheila K. Oberto  
25 UNITED STATES MAGISTRATE JUDGE  
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