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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

FRANCISCO OROSCO GARCIA,)	1:08-CV-1819 AWI JMD HC
)	
Petitioner,)	ORDER GRANTING PETITIONER’S
)	MOTION TO FILE SUPPLEMENTAL
v.)	OBJECTIONS TO FINDINGS AND
)	RECOMMENDATIONS AND MOTION FOR
WARDEN M.S. EVANS,)	APPOINTMENT OF COUNSEL
)	
Respondent.)	(Doc. No. 34)

On November 26, 2008, Petitioner Francisco Orosco Garcia (“Petitioner”), a state prisoner proceeding pro se, filed a habeas corpus action pursuant to 28 U.S.C. § 2254. See Doc. No. 1. Petitioner asserts five claims for relief. On May 18, 2009, Respondent filed an answer. See Doc. No. 16. On August 18, 2009, Petitioner filed a traverse. See Doc. No. 23. On June 1, 2010, the Magistrate Judge issued a Findings and Recommendation (“F&R”) that recommended the petition be denied. See Doc. No. 28. On July 27, 2010, Petitioner filed a request for appointment of counsel and objections to the F&R. See Doc. Nos. 31-32. On August 2, 2010, the Court denied Petitioner’s request for appointment of counsel. See Doc. No. 33.

On November 2, 2010, Petitioner filed the instant motion for leave of Court to file Supplemental Objections to the F&R and renewed motion for appointment of counsel. See Doc. No. 28. Petitioner asserts that he needs counsel because of his indigency,¹ limited education, inability to

¹ Petitioner has established his indigency in his declaration, which he attached to his initial motion for appointment of counsel. See Doc. No. 31.

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- 3. Within forty-five (45) days from the date that counsel is appointed, Petitioner’s counsel shall file supplemental objections with respect to Petitioner’s fourth claim for relief;
- 4. Respondent may file a reply to Petitioner’s supplemental objections within fifteen days of the date the objections are filed; and
- 5. The Clerk of the Court is directed to send a copy of this Order to Petitioner, the Federal Defender’s Office, and to Respondent.

IT IS SO ORDERED.

Dated: December 20, 2010 /s/ John M. Dixon
UNITED STATES MAGISTRATE JUDGE