UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF CALIFORNIA

KEITH ZON DOOLIN,	) Case No.: 1:09-cv-01453 – AWI
Petitioner,	) <u>DEATH PENALTY CASE</u>
vs.	) ORDER REGARDING MS. MILROD'S
KEVIN CHAPPELL, as Warden of San Quentin State Prison,	) WITHDRAWAL AS COUNSEL FOR PETITIONER AND DIRECTING TRANSFER OF STATE RECORD TO CALIFORNIA APPELLATE PROJECT
Respondent.	)

On June 27, 2013, both appointed counsel for Petitioner Keith Zon Doolin ("Doolin"), a state prisoner facing capital punishment, filed applications for leave to withdraw as counsel representing Doolin in his continuing federal habeas proceedings. Doolin's federal petition was filed October 18, 2011, and his federal proceedings are being held in abeyance pending the resolution of his second state habeas petition. The second state petition was fully briefed December 28, 2012.

Ms. Milrod's motion to withdraw was granted July 1, 2103, due to her imminent departure from the State of California and the closure of her law office. So that Doolin would not be left without counsel, Mr. Levine's motion to withdraw was left pending until new counsel could be located. In the motion granting Ms. Milrod's withdrawal, she was instructed to make arrangements to retain the case files and records from this case until such time as new counsel is appointed and the documents can be transferred. The matter was referred to the Selection Board for the Eastern District of California to

make a recommendation for new counsel to appoint Doolin.

Ms. Milrod has stated that she will be substantially unavailable beginning August 6, 2013, and it is unknown when new counsel to represent Doolin will be appointed. The California Appellate Project ("CAP") has agreed to take temporary custody of the state record and the dedicated server in this case. Ms. Milrod is directed to contact Michael Millman at CAP, at 415-495-0500, to make arrangements for transfer of the record and server.

IT IS SO ORDERED.

DATED: July 24, 2013   /s/ Anthony W. Ishii
                                            ANTHONY W. ISHII
                                            United States District Judge