

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

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

JAIME I. ESTRADA,

Petitioner,

v.

MARTIN BITER, Warden,

Respondent.

Case No. 1:14-cv-00679-AWI-GSA (HC)  
ORDER APPOINTING COUNSEL

Petitioner is a state prisoner proceeding pro se with a petition for writ of habeas corpus pursuant to 28 U.S.C. § 2254.

On January 13, 2015, the Court denied Petitioner’s motion to appoint counsel because it did not find that the interests of justice required the appointment of counsel at that time. (ECF No. 25). In that order, the Court noted that a findings and recommendation had been issued, but had not yet been adopted by the District Judge. (ECF No. 25). Subsequently, the District Judge adopted the findings and recommendation, denied Respondent’s motion to dismiss, and referred the matter back to the undersigned for further proceedings. (ECF No. 29). The Court then ordered Respondent to file an answer to the petition and allowed Petitioner to file a traverse. (ECF No. 30). On May 19, 2015, Respondent filed an answer to the petition. (ECF No. 33). On June 8, 2015, Petitioner filed a traverse. (ECF No. 34). The Court now reviews whether to appoint counsel to Petitioner at this time.



1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

counsel shall file a supplemental traverse with respect to Petitioner’s first claim for relief;

- 5. Respondent may file a reply to Petitioner’s supplemental traverse within **twenty-one (21) days** of the date Petitioner’s supplemental traverse is filed;
- 6. The Clerk of the Court is directed to send a copy of this Order to Petitioner, the Federal Public Defender’s Office, and to Respondent;
- 7. The Clerk of the Court is directed to send a copy of Petitioner’s habeas corpus petition (ECF No. 1), the answer (ECF No. 33), and the traverse (ECF No. 35) to the Federal Public Defender’s Office; and
- 8. Petitioner’s counsel shall contact the Clerk’s Office to make arrangements for copies of other documents in the file.

IT IS SO ORDERED.

Dated: June 18, 2015

/s/ Gary S. Austin  
UNITED STATES MAGISTRATE JUDGE