

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

JERRY F. STANLEY.

No. 2:95-CV-1500 JAM CKD

Petitioner.

DEATH PENALTY CASE

1

WARDEN, San Quentin State Prison,

ORDER

Respondent.

17 Attorney Jack Leavitt seeks leave to file documents in paper pursuant to Local Rule
18 133(b)(1). Good cause appearing, Mr. Leavitt's request (ECF No. 953) is GRANTED.

19 In addition, Mr. Leavitt asks the undersigned to recuse herself from this proceeding
20 because she recently referred to him as petitioner’s “self-proclaimed” counsel. Based on the
21 history of Mr. Leavitt’s involvement in this case and the fact he has not been appointed by this
22 court to represent petitioner in this proceeding, the court does not find the use of the term “self-
23 proclaimed” to be off-base. In any event, the undersigned finds no reason she will be unable to
24 be impartial in considering the motion for sanctions against Mr. Leavitt. See 28 U.S.C. §455.
25 Accordingly, Mr. Leavitt’s recusal motion (ECF No. 954) is DENIED.

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1 The Clerk of the Court is directed to serve a copy of this order on Mr. Leavitt.

2 Dated: November 10, 2014

Carolyn K. Delaney

3 CAROLYN K. DELANEY
4 UNITED STATES MAGISTRATE JUDGE

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