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IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA

LANCE IAN OSBAND,

Petitioner,

No. CIV S-97-0152 KJM

vs.

DEATH PENALTY CASE

WARDEN, San  
Quentin State Prison,

Respondent.

ORDER

\_\_\_\_\_ /  
Petitioner Lance Osband, acting in pro per, filed a document in which he complains about communications with his appointed counsel. (Dkt. No. 641.<sup>1</sup>) Mr. Osband made a similar filing in 2010. (Dkt. No. 574.) At that time, Mr. Osband was informed that the court cannot accept communications directly from a party represented by counsel. (Dkt. No. 575.) The court recognizes that it may consider a pro per filing complaining about appointed counsel and will do so here. E.D. Cal., Local Rule 191(c).

While Mr. Osband appears to feel counsel has failed to communicate with him with sufficient frequency, he does not show that he suffered any harm in this case from any lack of communication with counsel. Mr. Osband’s appointed counsel have been working hard


<sup>1</sup> Document number 641 appears on the docket between document numbers 628 and 629.

1 recently on his behalf. Over the last two years, his counsel have filed the following important  
2 documents in this proceeding: (1) a proposal for addressing issues involving sealing evidentiary  
3 hearing exhibits (Dkt. No. 585); (2) a brief regarding the impact of new United States Supreme  
4 Court authority on this case (Dkt. No. 600); and (3) a 259-page brief, supported by 90 exhibits,  
5 regarding the reasonableness of the state court's consideration of the merits of petitioner's  
6 claims. This court is confident that petitioner is well represented in this proceeding.

7 Mr. Osband's June 25, 2012 filing shall remain on the docket. To the extent Mr.  
8 Osband seeks action based on that filing, his request is denied.

9 The Clerk of the Court is instructed to serve a copy of this order upon petitioner  
10 Lance Osband by U.S. mail.

11 DATED: July 17, 2012.

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14 UNITED STATES DISTRICT JUDGE

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