

**OFFICE OF THE FEDERAL DEFENDER  
EASTERN DISTRICT OF CALIFORNIA  
801 I STREET, 3rd FLOOR  
SACRAMENTO, CALIFORNIA 95814  
(916) 498-5700 Fax: (916) 498-5710**

*Daniel J. Broderick  
Federal Defender*

*Linda Harter  
Chief Assistant Defender*

January 12, 2009

**FILED**

JAN 13 2009

CLERK, U.S. DISTRICT COURT  
EASTERN DISTRICT OF CALIFORNIA

BY \_\_\_\_\_  
DEPUTY CLERK

John Ward  
Attorney at Law  
584 Castro St. #802  
San Francisco, CA 94114

Re: **Travis Reay v. Scribner**  
**Civ.S-02-2067 GEB DAD HC**

Dear Mr. Ward:

This will confirm your appointment as counsel by the Honorable Dale A. Drozd, U.S. Magistrate Judge, to represent the above-named defendant. You are attorney of record until such time as you are relieved or other action is taken to appoint a different attorney.

Enclosed is CJA 20 form, your Order of Appointment and Voucher for services rendered. Also enclosed is an instruction sheet discussing the use of the forms.

If we may be of any further assistance regarding the processing of the enclosed form, ~~preparation of form~~ CJA 21 for expert services, or in reference to any other matter pertaining to this case, please feel free to call upon us at any time.

Doc. 68

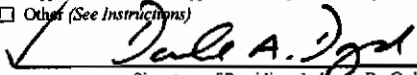
Sincerely,



Becky Darwazeh  
CJA - Legal Secretary

:bd  
Enclosures

cc: Clerk's Office

1. CIR./DIST./ DIV. CODE		2. PERSON REPRESENTED <b>Travis Reay</b>		VOUCHER NUMBER	
3. MAG. DKT./DEF. NUMBER		4. DIST. DKT./DEF. NUMBER <b>CIV.S-02-02067</b>		5. APPEALS DKT./DEF. NUMBER <b>08-15973</b>	
7. IN CASE/MATTER OF (Case Name) <b>Reay v. Scribner</b>		8. PAYMENT CATEGORY <input type="checkbox"/> Felony <input type="checkbox"/> Petty Offense <input type="checkbox"/> Misdemeanor <input type="checkbox"/> Other <input checked="" type="checkbox"/> Appeal		9. TYPE PERSON REPRESENTED <input type="checkbox"/> Adult Defendant <input checked="" type="checkbox"/> Appellant <input type="checkbox"/> Juvenile Defendant <input type="checkbox"/> Appellee <input type="checkbox"/> Other	
10. REPRESENTATION TYPE (See Instructions) <b>Appeal</b>					
11. OFFENSE(S) CHARGED (Cite U.S. Code, Title & Section) <i>If more than one offense, list (up to five) major offenses charged, according to severity of offense.</i>					
12. ATTORNEY'S NAME (First Name, M.I., Last Name, including any suffix), AND MAILING ADDRESS <b>John Ward</b> <b>584 Castro Street, #802</b> <b>San Francisco, CA 94114</b>  Telephone Number: <b>(415) 255-4996</b>			13. COURT ORDER <input checked="" type="checkbox"/> O Appointing Counsel <input type="checkbox"/> C Co-Counsel <input type="checkbox"/> F Subs For Federal Defender <input type="checkbox"/> R Subs For Retained Attorney <input type="checkbox"/> P Subs For Panel Attorney <input type="checkbox"/> Y Standby Counsel  Prior Attorney's Name: _____ Appointment Dates: _____ <input type="checkbox"/> Because the above-named person represented has testified under oath or has otherwise satisfied this Court that he or she (1) is financially unable to employ counsel and (2) does not wish to waive counsel, and because the interests of justice so require, the attorney whose name appears in Item 12 is appointed to represent this person in this case, OR <input type="checkbox"/> Other (See Instructions)  Signature of Presiding Judge or By Order of the Court  Date of Order: _____      Nunc Pro Tunc Date: <b>10/31/2008</b> Repayment or partial repayment ordered from the person represented for this service at time appointment. <input type="checkbox"/> YES <input type="checkbox"/> NO		
14. NAME AND MAILING ADDRESS OF LAW FIRM (Only provide per instructions)					

**CLAIM FOR SERVICES AND EXPENSES**      **FOR COURT USE ONLY**

CATEGORIES (Attach itemization of services with dates)	HOURS CLAIMED	TOTAL AMOUNT CLAIMED	MATH/TECH. ADJUSTED HOURS	MATH/TECH. ADJUSTED AMOUNT	ADDITIONAL REVIEW
<b>In Court</b>	a. Arraignment and/or Plea		0.00		
	b. Bail and Detention Hearings		0.00		
	c. Motion Hearings		0.00		
	d. Trial		0.00		
	e. Sentencing Hearings		0.00		
	f. Revocation Hearings		0.00		
	g. Appeals Court		0.00		
	h. Other (Specify on additional sheets)		0.00		
<b>(RATE PER HOUR = \$ 100.00 ) TOTALS:</b>		<b>0.00</b>			
<b>Out of Court</b>	a. Interviews and Conferences		0.00		
	b. Obtaining and reviewing records		0.00		
	c. Legal research and brief writing		0.00		
	d. Travel time		0.00		
	e. Investigative and other work (Specify on additional sheets)		0.00		
<b>(RATE PER HOUR = \$ 100.00 ) TOTALS:</b>		<b>0.00</b>			
17. Travel Expenses (lodging, parking, meals, mileage, etc.)					
18. Other Expenses (other than expert, transcripts, etc.)					
<b>GRAND TOTALS (CLAIMED AND ADJUSTED):</b>		<b>0.00</b>			

19. CERTIFICATION OF ATTORNEY/PAYEE FOR THE PERIOD OF SERVICE <b>FROM:</b> _____ <b>TO:</b> _____		20. APPOINTMENT TERMINATION DATE IF OTHER THAN CASE COMPLETION	21. CASE DISPOSITION
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22. CLAIM STATUS       Final Payment       Interim Payment Number       Supplemental Payment

Have you previously applied to the court for compensation and/or reimbursement for this representation?       YES       NO      If yes, were you paid?       YES       NO

Other than from the Court, have you, or to your knowledge has anyone else, received payment (compensation or anything of value) from any other source in connection with this representation?       YES       NO      If yes, give details on additional sheets.

**I swear or affirm the truth or correctness of the above statements.**

Signature of Attorney: \_\_\_\_\_      Date: \_\_\_\_\_

**APPROVED FOR PAYMENT - COURT USE ONLY**

23. IN COURT COMP.	24. OUT OF COURT COMP.	25. TRAVEL EXPENSES	26. OTHER EXPENSES	27. TOTAL AMT. APPR./CERT.
28. SIGNATURE OF THE PRESIDING JUDGE			DATE	28a. JUDGE CODE
29. IN COURT COMP.	30. OUT OF COURT COMP.	31. TRAVEL EXPENSES	32. OTHER EXPENSES	33. TOTAL AMT. APPROVED
34. SIGNATURE OF CHIEF JUDGE, COURT OF APPEALS (OR DELEGATE) <i>Payment approved in excess of the statutory threshold amount.</i>			DATE	34a. JUDGE CODE

**FILED**

UNITED STATES COURT OF APPEALS

OCT 29 2008

FOR THE NINTH CIRCUIT

MOLLY C. DWYER, CLERK  
U.S. COURT OF APPEALS

TRAVIS D. REAY,

Petitioner - Appellant,

v.

A.K. SCRIBNER, Warden,

Respondent - Appellee.

No. 08-15973

D.C. No. 2:02-cv-02067-GEB  
Eastern District of California,  
Sacramento

ORDER

Before: Peter L. Shaw, Appellate Commissioner.

Appellant's motion for appointment of counsel in this habeas corpus appeal is granted. *See* 18 U.S.C. § 3006A(a)(2)(B); *Weygandt v. Look*, 718 F.2d 952, 954 (9th Cir. 1983) (per curiam). Counsel will be appointed by separate order.

The Clerk shall serve a copy of this order on Daniel Broderick, Federal Public Defender, 801 I Street, 3rd Floor, Sacramento, California 95814, who will locate appointed counsel. The district court shall provide the Clerk of this court with the name and address of appointed counsel by facsimile transmission (FAX: (415) 355-8111) within 14 days of locating counsel. If new counsel identifies uncertified issues that should be raised on appeal, counsel shall include them in the opening brief as permitted by Ninth Circuit Rule 22-1(e).

SNR/MOATT

Petitioner's pro se brief is stricken. Respondent's motion to file oversized brief is denied as moot.

The opening brief and excerpts of record are due December 19, 2008; the answering brief is due January 20, 2009; and the optional reply brief is due within 14 days after service of the answering brief.