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

SHABONDY LAMAR SIMPSON,

Petitioner,

No. CIV S-05-640 JAM DAD P

vs.

M. EVANS, Warden,

Respondent.

ORDER

_____ /

Petitioner is a state prisoner proceeding pro se in the District Court with an application for writ of habeas corpus pursuant to 28 U.S.C. § 2254. This matter is currently on appeal to the Ninth Circuit Court of Appeals. Petitioner is represented by counsel on appeal. On August 2, 2010, the undersigned issued findings and recommendations which recommended that petitioner's motion to amend the instant petition to add an additional claim be denied. On that same date, petitioner's appointed appellate counsel filed a letter with the court requesting guidance as to how to proceed. Under the circumstances, the court has determined that appointment of counsel on behalf of petitioner in order to file objections, if any, to the August 2, 2010 findings and recommendations is appropriate. See 18 U.S.C. § 3006A(a)(2)(B); see also Weygandt v. Look, 718 F.2d 952, 954 (9th Cir. 1983).

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1 Accordingly, IT IS HEREBY ORDERED that:

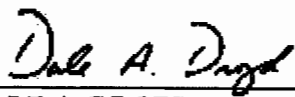
2 1. The Federal Defender is appointed to represent petitioner for the purpose of
3 filing objections to the August 2, 2010 findings and recommendations and is directed to locate
4 appropriate counsel available to accept the appointment on behalf of petitioner. The Federal
5 Defender may wish to consider appointing Charles Bonneau, petitioner's appointed counsel on
6 appeal, for this purpose.

7 2. Absent further order of the court, petitioner's appointed counsel shall file
8 objections to the August 2, 2010 findings and recommendations within thirty days after the order
9 appointing counsel is entered on the docket.

10 3. The Clerk of the Court is directed to serve a copy of this order and docket Nos.
11 1 and 46 on Carolyn Wiggin, Assistant Federal Defender.

12 4. Petitioner's appointed counsel shall contact the Clerk's Office to make
13 arrangements for copies of documents in the file.

14 DATED: August 13, 2010.

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16 _____
17 DALE A. DROZD
18 UNITED STATES MAGISTRATE JUDGE

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20 simpson640.atty
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