

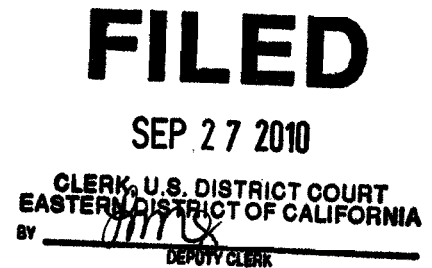
OFFICE OF THE FEDERAL DEFENDER  
EASTERN DISTRICT OF CALIFORNIA  
801 I STREET, 3rd FLOOR  
SACRAMENTO, CALIFORNIA 95814  
(916) 498-5700 Fax: (916) 498-5710

Daniel J. Broderick  
Federal Defender

Linda Harter  
Chief Assistant Defender

September 27, 2010

Barbara Michel  
Attorney at Law  
Post Office Box 3570  
Berkeley, CA 94703



Re: Theodore Benjamin Vaden v. Adams  
2:08-cv-0178 FCD GGH

Dear Ms. Michel:

This will confirm your appointment as counsel by the Honorable Frank C. Damrell, Jr., U.S. District Judge, to represent the above-named client. 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.

(HC) [Vaden v Adams et al](#)

Doc. 54

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.

Sincerely,

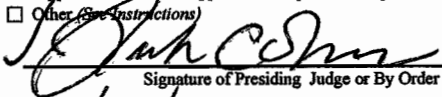
  
Yvonne Jurado  
CJA Panel Assistant

:yj  
Enclosure

cc: Clerk's Office  
Ninth Circuit Court of Appeals

CJA 20 APPOINTMENT OF AND AUTHORITY TO PAY COURT-APPOINTED COUNSEL (Rev. 12/03)

1. CIR./DIST./ DIV. CODE	2. PERSON REPRESENTED Theodore Benjamin Vaden		VOUCHER NUMBER	
3. MAG. DKT./DEF. NUMBER	4. DIST. DKT./DEF. NUMBER 2:08-cv-0178 FCD GGH	5. APPEALS DKT./DEF. NUMBER 10-15164	6. OTHER DKT. NUMBER	
7. IN CASE/MATTER OF (Case Name) Vaden v. Adams	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) H/C Appeal	
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  Barbara Michel Attorney at Law P.O. Box 3570 Berkeley, CA 94703 Telephone Number : (510) 841-4338		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 9/25/10 Date of Order 7/14/2010 Nunc Pro Tunc Date 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
15. In Court	a. Arraignment and/or Plea	0.00		0.00	
	b. Bail and Detention Hearings	0.00		0.00	
	c. Motion Hearings	0.00		0.00	
	d. Trial	0.00		0.00	
	e. Sentencing Hearings	0.00		0.00	
	f. Revocation Hearings	0.00		0.00	
	g. Appeals Court	0.00		0.00	
	h. Other (Specify on additional sheets)	0.00		0.00	
(RATE PER HOUR = \$ ) TOTALS:	0.00	0.00	0.00	0.00	
16. Out of Court	a. Interviews and Conferences	0.00		0.00	
	b. Obtaining and reviewing records	0.00		0.00	
	c. Legal research and brief writing	0.00		0.00	
	d. Travel time	0.00		0.00	
	e. Investigative and other work (Specify on additional sheets)	0.00		0.00	
(RATE PER HOUR = \$ ) TOTALS:	0.00	0.00	0.00	0.00	
17. Travel Expenses (lodging, parking, meals, mileage, etc.)					
18. Other Expenses (other than expert, transcripts, etc.)					
<b>GRAND TOTALS (CLAIMED AND ADJUSTED):</b>		0.00		0.00	

19. CERTIFICATION OF ATTORNEY/PAYEE FOR THE PERIOD OF SERVICE FROM: _____ TO: _____	20. APPOINTMENT TERMINATION DATE IF OTHER THAN CASE COMPLETION	21. CASE DISPOSITION
--	--	----------------------

22. CLAIM STATUS  Final Payment  Interim Payment Number \_\_\_\_\_  Supplemental Payment

Have you previously applied to the court for compensation and/or reimbursement for this  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. \$0.00
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 \$0.00
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

JUL 08 2010

FOR THE NINTH CIRCUIT

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

THEODORE BENJAMIN VADEN,

Petitioner - Appellant,

v.

DARRELL G. ADAMS, Warden, et al.,

Respondents - Appellees.

No. 10-15164

D.C. No. 2:08-cv-00178-FCD  
Eastern District of California,  
Sacramento

ORDER

Before: Peter L. Shaw, Appellate Commissioner.

Appellant's motion for appointment of counsel in this appeal from the denial of a 28 U.S.C. § 2254 petition for writ of habeas corpus 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 electronically serve this order on the appointing authority for the Eastern District of California, who will locate appointed counsel. The district court shall send notification of the name, address, and phone number of appointed counsel to the Clerk of this court at [counselappointments@ca9.uscourts.gov](mailto:counselappointments@ca9.uscourts.gov) within 14 days of locating counsel.

ln/MOATT

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). Appellant's pro se request to expand the certificate of appealability is therefore denied as unnecessary.

The opening brief and excerpts of record are due September 1, 2010; the answering brief is due October 1, 2010; and the optional reply brief is due within 14 days after service of the answering brief.