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8	IN THE UNITED STATES DISTRICT COURT
9	FOR THE EASTERN DISTRICT OF CALIFORNIA
10	ROBERT HAYDEN NESBITT, JR.,
11	Petitioner, No. CIV S-09-2821 GEB GGH P
12	VS.
13	FRANCISCO JACQUEZ, Warden,
14	Respondent. <u>ORDER</u>
15	/
16	By order, filed on October 3, 2011, petitioner's then-pending request for an
17	extension of time to file a request for appointment of new counsel, a stay-and-abeyance and a
18	further amended petition was denied as inapposite in the current case context. In that order, it
19	was recounted that, on August 29, 2011, petitioner's counsel's motion to withdraw had been
20	granted, noting therein that no further briefing was due at that point and that this habeas matter
21	had previously been submitted. In addition, the order stated that counsel for petitioner in her
22	request had conveyed that petitioner had asked her to move to be discharged as his counsel, and
23	that, moreover, the court had observed that petitioner had made clear in a pro se filing that he
24	wished no further filings by his then-counsel to be accepted by the court. See Order, filed on
25	October 3, 2011.
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In the Order, filed on Oct. 3, 2011, the undersigned reinforced what had been set forth in the Order, filed on August 29, 2011, which was that petitioner had been informed in the earlier order, when petitioner had stated that he intended to explain his position in a future detailed motion, that no such submission was needed in that regard as it was evident that having 4 5 his counsel withdraw was his position and that no further substantive briefing was due in this submitted matter. Petitioner was informed in the Aug. 29, 2011 order, that the court could discern no basis for appointing new counsel in the instant submitted matter.

Notwithstanding, petitioner has subsequently filed three additional motions for 8 9 appointment of counsel, along with more requests for an extension of time to file a motion for a 10 stay and to file an amended petition, as well as a request for judicial notice regarding a brief letter 11 from his former habeas counsel in 2011, and another from his trial counsel in 2009. Petitioner is, for the last time, informed that this matter has been submitted since prior to the withdrawal, 12 13 which petitioner actively sought, of his appointed habeas counsel. It is the court's intention to adjudicate this submitted matter as soon as it can reasonably be done in light of the exigencies of 14 15 this court's calendar. No further requests regarding appointment of new counsel, extensions of 16 time for a stay or to file an amended petition will be considered.

17 Accordingly, IT IS ORDERED that petitioner's repeated and inapposite motions for appointment of new counsel and for an extension of time to file a stay and abeyance and/or to 18 19 file an amended petition in this submitted habeas matter, filed on November 3, 2011 (docket # 20 65), on November 7, 2011 (docket # 66), and on November 16, 2011 (docket # 67), are denied; 21 his request for judicial notice, filed on January 6, 2012 (docket # 68), is disregarded. Petitioner is 22 cautioned that any similar future requests will not be considered or addressed by the court. 23 DATED: July 30, 2012

<u>/s/ Gregory G. Hollows</u> UNITED STATES MAGISTRATE JUDGE

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