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

DORIAN D. BAILEY,

Petitioner,

No. CIV S-10-84 KJM P

vs.

PEOPLE OF CALIFORNIA, et al.,

ORDER

Respondents.

_____ /

Petitioner, a state prisoner proceeding pro se, has filed a petition for a writ of habeas corpus pursuant to 28 U.S.C. § 2254. He has paid the filing fee.

Since petitioner may be entitled to the requested relief if the claimed violation of constitutional rights is proved, respondents will be served with the petition, but shall not file a response at the present time.

In light of the potential mental health issues involved, the court has determined that the interests of justice require appointment of counsel. See 18 U.S.C. § 3006A(a)(2)(B); see also Weygandt v. Look, 718 F.2d 952, 954 (9th Cir. 1983).

Accordingly, IT IS HEREBY ORDERED that:

- 1. The Federal Defender is appointed to represent petitioner;

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1 2. The Clerk of the Court is directed to serve a copy of the petition and this order
2 on David Porter, Assistant Federal Defender.

3 3. Within thirty days of this order, the parties shall file a joint scheduling
4 statement which addresses the timing and order of the following matters:

- 5 a. The timeliness of the petition;
- 6 b. The state of exhaustion of the claims;
- 7 c. Anticipated motions;
- 8 d. The need for and timing of an evidentiary hearing on the merits or on
9 other issues;
- 10 f. Possible future amendments to the pleadings.

11 4. The Clerk of the Court shall serve a copy of this order, the
12 consent/reassignment form contemplated by Appendix A(k) to the Local Rules of this court
13 together with a copy of the petition for writ of habeas corpus pursuant to 28 U.S.C. § 2254 on
14 Michael Patrick Farrell, Senior Assistant Attorney General.

15 DATED: April 2, 2010.

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18 U.S. MAGISTRATE JUDGE

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