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

RENE MEDINA,

Plaintiff,

No. CIV S-10-0502 LKK GGH P

vs.

KATHLEEN L. DICKINSON, et al.,

Defendants.

ORDER

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Plaintiff is a state prisoner proceeding pro se and in forma pauperis in a civil rights action under 42 U.S.C. § 1983. In an Order, filed on July 1, 2011, it was set forth, inter alia, that should Tracy Renee Lum file a request to be appointed to represent plaintiff in this action, the court would appoint her as his counsel. On August 3, 2011, Ms. Lum filed such a request, indicating that she had previously represented plaintiff before the parole board and that she was familiar with the facts of the instant case.

Therefore, the Court herein determines that appointment of counsel for plaintiff is warranted. Tracy Renee Lum, of the Law Office of Tracy Renee Lum, has been selected, at both her request as well as that of plaintiff, to represent plaintiff pro bono.

The Court finds as follows:

Efforts to obtain legal representation without order of this court would be futile;

- 1 1. Plaintiff's income is 125 percent or less of the current poverty threshold
- 2 established by the Office of Management and Budget of the United States and is otherwise
- 3 without resources to obtain counsel;
- 4 2. This case is of a type that attorneys in this district ordinarily do not accept
- 5 without prepayment of a fee;
- 6 3. This case is not a fee generating case within the meaning of California Business
- 7 and Professions Code § 8030.4(g); and
- 8 4. This case has sufficient merit to warrant appointment pursuant to General
- 9 Order No. 230.

10 Therefore, this court orders as follows:

- 11 1. Tracy Renee Lum, of the Law Office of Tracy Renee Lum, is appointed as
- 12 counsel for plaintiff pursuant to General Order No. 230;
- 13 2. The Clerk of the Court is directed to serve a copy of this order upon Tracy
- 14 Renee Lum whose e-mail address appears in the docket of this case, and
- 15 3. Counsel shall submit all deposition transcript costs for payment pursuant to
- 16 § 8030.6 of the California Business and Professions Code. All other contemplated costs shall be
- 17 handled as described in General Order No. 230.

18 DATED: August 9, 2011

19 /s/ Gregory G. Hollows  
20 UNITED STATES MAGISTRATE JUDGE

21 GGH:009  
22 medi0502.31b