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UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA

FRANK DIXON,  
Petitioner,  
v.  
JAMES YATES,  
Respondent.

No. 2:10-cv-0631 JAM AC P

ORDER

Petitioner is a state prisoner who has been proceeding with retained pro bono counsel. Petitioner seeks to have his pro bono counsel appointed to represent him pursuant to 18 U.S.C. § 3006A. Although petitioner paid the initial \$5.00 filing fee, he has now submitted an in forma pauperis application that reveals that petitioner is unable to afford the costs of suit. Petitioner has made the requisite showing of indigence and meets the financial eligibility requirement for appointment of counsel. See 18 U.S.C. 3006A(a)(2); 28 U.S.C. § 1915(a). Rule 8(c) of the Rules Governing Section 2254 Cases permits appointment of counsel under 18 U.S.C. § 3006A “at any stage of the proceeding.” In light of the complexity of the legal 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. Petitioner’s October 3, 2014 motion for the appointment of counsel, ECF No. 47, is

1 granted;

2 2. Eric Multhaup is appointed to represent petitioner pursuant to 18 U.S.C. § 3006A.

3 3. Petitioner is granted a thirty day extension of the time previously set for the filing of a  
4 reply to the answer. See ECF No. 43.

5 DATED: October 10, 2014

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7 ALLISON CLAIRE  
8 UNITED STATES MAGISTRATE JUDGE  
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