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

CHARLES H. CARR, JR.,

Petitioner,

No. 2:10-cv-1778 MCE JFM (HC)

vs.

MATTHEW CATE,

ORDER

Respondent.

\_\_\_\_\_ /

Petitioner is a state prisoner proceeding pro se and in forma pauperis with an application for writ of habeas corpus pursuant to 28 U.S.C. § 2254. 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).

Respondent has moved for an extension of time to respond to the petition pending disposition of his September 21, 2010 motion to stay these proceedings. Good cause appearing, respondent’s motion will be granted. The July 26, 2010 order setting a briefing schedule for the instant action is vacated. The court will set a new briefing schedule in this action, as appropriate, by subsequent court order.

In accordance with the above, IT IS HEREBY ORDERED that:

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1. The Federal Defender is appointed to represent petitioner.

2. The Clerk of the Court is directed to serve a copy of the petition, respondent's September 21, 2010 motion to stay these proceedings, and this order on Carolyn Wiggin, Assistant Federal Defender.

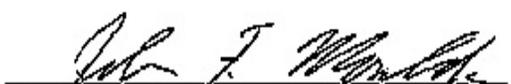
3. Petitioner's counsel shall contact the Clerk's Office to make arrangements for copies of additional documents in the file.

4. Within thirty days from the date of this order petitioner shall file and serve a response to respondent's September 21, 2010 motion to stay these proceedings.

5. Respondent's September 21, 2010 motion for extension of time is granted.

6. The briefing schedule set in the court's July 26, 2010 order is vacated and will be reset, as appropriate, by subsequent court order.

DATED: November 30, 2010.

  
UNITED STATES MAGISTRATE JUDGE

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