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

REGINALD THOMAS BUNN, JR.,

Petitioner,

No. 2:11-cv-1373 MCE DAD P

vs.

RAUL LOPEZ,

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. On August 15, 2012, petitioner filed a request for the appointment of counsel. Therein, he explains that he may wish to return to state court to exhaust a claim based on the recent decision of the United States Supreme Court in Miller v. Alabama, ___ U.S. ___, 132 S. Ct. 2455 (2012). In light of the complexity of the legal issues potentially involved in this case, 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 August 15, 2012 motion for the appointment of counsel is granted;
2. The Federal Defender is appointed to represent petitioner.

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

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

5 5. A status conference is set for October 12, 2012, at 10:00 a.m. in Courtroom
6 #27.

7 6. All parties shall appear at the status conference by counsel.

8 7. Fourteen days prior to the conference, the parties shall file and serve status
9 reports which address the timing and order of the following matters:

10 a. Discovery and investigations;

11 b. Anticipated motions;

12 c. The need for and timing of an evidentiary hearing;

13 d. Enumeration and resolution of unexhausted claims; and

14 e. Possible future amendments to the pleadings.

15 The parties are advised that failure to timely file a status report may result in sanctions.

16 DATED: August 24, 2012.

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18 
19 _____
20 DALE A. DROZD
21 UNITED STATES MAGISTRATE JUDGE

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