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UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

11 RAMIRO LEON, JR., No. 2:12-cv-2559 JAM GGH
12 Petitioner,
13 v. ORDER
14 RON BARNES,
15 Respondent.

Introduction and Summary

19 Petitioner has filed a motion for discovery involving his case file, and a motion for
20 appointed counsel. For the reasons set forth below, both motions are denied.

Motion for Discovery

22 One of the issues in this habeas claim involves an allegation that counsel failed to pass
23 along a plea offer of 21 years, i.e. one without a “life tail.” Petitioner believes (or believed) that
24 he can prove the existence of such a plea offer if only his trial file were returned to him. If the
25 issue here was, in fact, that petitioner had not received his case file from his prior attorney, the
26 undersigned would order counsel in possession of such files to remit the defense file to him.
27 However, after filing the motion and reply to the opposition, petitioner received his file on

1 account of a State Bar inquiry. The entire file was given to petitioner, absent redaction of some
2 witness personal information. See ECF No. 32 at 13 (electronic pagination). The undersigned
3 considers the discovery matter, ECF No. 21 denied as moot.

4 Petitioner has also requested the appointment of counsel. That request, ECF No. 32 is
5 denied without prejudice if the court determines at a later time that an evidentiary hearing is
6 necessary.

7 IT IS HEREBY ORDERED.

8 Dated: June 8, 2015

9 /s/ Gregory G. Hollows

10 UNITED STATES MAGISTRATE JUDGE

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