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UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA

HENRY A. JONES,  
Plaintiff,  
v.  
G. WHITTED, et al.,  
Defendants.

No. 2:12-cv-2695 MCE KJN P

ORDER APPOINTING COUNSEL  
FOR LIMITED PURPOSE

Plaintiff is a state prisoner, incarcerated at California State Prison, Los Angeles County (CSP-LAC), who proceeds pro se and in forma pauperis in this action brought pursuant to 42 U.S.C. § 1983. On April 14, 2014, the court found that appointment of counsel was warranted for the limited purpose of assessing whether an amended complaint should be filed in this action and, if so, for the purpose of preparing, filing and serving a Fourth Amended Complaint. (See ECF No. 30.)

Mr. Roy Malahowski has been selected from the court’s pro bono attorney panel to represent plaintiff for this limited purpose, and he has agreed to the appointment.

Accordingly, IT IS HEREBY ORDERED that:

1. Roy Malahowski is appointed in the above-entitled matter for the above-noted limited purpose.

1           2. Meeting this purpose shall include counsel's review of the currently operative  
2 complaint (see ECF Nos. 1, 10, 14, 15); direct consultation with plaintiff; obtaining any  
3 additional relevant materials (e.g. from California State Prison-Sacramento and/or plaintiff's  
4 central file); and such other activities necessary to determine whether it is in plaintiff's best  
5 interests to proceed on a Fourth Amended Complaint.

6           3. Counsel shall thereafter, but no longer than sixty (60) days after the filing date of this  
7 order, file a statement with the court that either: (a) informs the court that further amendment of  
8 the complaint is unnecessary, with adequate explanation; or (2) moves for leave to amend the  
9 operative complaint, pursuant to Federal Rules of Civil Procedure 15, together with a copy of the  
10 proposed Fourth Amended Complaint.

11           4. Thereafter, the court will accord counsel the option of withdrawing his representation  
12 of plaintiff or, at his discretion, proceeding as plaintiff's appointed counsel for purposes of  
13 discovery, settlement and/or trial.


14           5. Appointed counsel shall notify Sujean Park at (916) 930-4278, or via email at  
15 [spark@caed.uscourts.gov](mailto:spark@caed.uscourts.gov) if he has any questions related to the appointment.

16           6. The Clerk of the Court is directed to serve a copy of this order upon Roy Malahowski,  
17 Law Office of Roy Malahowski, 6308 Brooklawn Way, Bakersfield, CA 93309.

18           SO ORDERED.

19           DATED: April 30, 2014

21           /jone2695.31.appt.cnsi.

  
KENDALL J. NEWMAN  
UNITED STATES MAGISTRATE JUDGE