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UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA

GERARDO VILLA, SR.,  
Petitioner,  
v.  
SCOTT FRAUENHEIM, Warden,  
Respondent.

No. 2:14-cv-1849 TLN DAD P

ORDER

Petitioner is a state prisoner proceeding through counsel with an application for a writ of habeas corpus pursuant to 28 U.S.C. § 2254. This matter is currently stayed pending petitioner’s exhaustion of his habeas corpus claims with the California Supreme Court. Now pending before the court is counsel’s motion to withdraw as petitioner’s counsel of record and petitioner’s pro se motion for appointment of new counsel.

Pursuant to Local Rule 182, this court will grant counsel’s motion to withdraw as petitioner’s counsel of record. In addition, under the circumstance of this case, the undersigned 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). The court will appoint the Federal Defender to represent petitioner in this case.

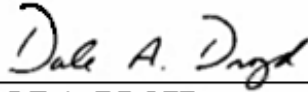
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Accordingly, IT IS HEREBY ORDERED that:

1. Counsel's motion to withdraw as petitioner's counsel of record (Doc. No. 13) is granted;
2. Petitioner's motion for appointment of counsel (Doc. No. 11) is granted;
3. The Federal Defender is appointed to represent petitioner;
4. The Clerk of the Court shall serve a copy of this order on the Federal Defender, Attention: Habeas Appointment; and
5. Petitioner's counsel shall contact the Clerk's Office to make arrangements to obtain copies of documents in the file if necessary.

Dated: October 8, 2015



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DALE A. DROZD  
UNITED STATES MAGISTRATE JUDGE

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