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UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

FREDERICK TANNER,
Petitioner,
v.
STU SHERMAN,
Respondent.

No. 2:16-cv-0581 GEB KJN P

ORDER

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. Petitioner has renewed his motions for appointment of counsel based on, *inter alia*, his developmental disabilities. Petitioner is classified as DD2, which requires occasional prompts to initiate or complete activities of daily living. (ECF No. 30 at 4.) On June 30, 2017, respondent renewed the motion to dismiss on the grounds that petitioner failed to exhaust his third claim in its entirety.

In light of the complexity of the 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).

Accordingly, IT IS HEREBY ORDERED that:

1. Petitioner’s motions for appointment of counsel (ECF Nos. 30 & 31) are granted.
2. The Federal Defender is appointed to represent petitioner.

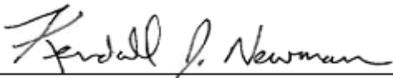
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3. The Clerk of the Court shall serve a copy of this order on the Federal Defender,
Attention: Habeas Appointment.

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

5. Petitioner is granted an extension of time in which to file an opposition to the motion to dismiss; such opposition shall be filed on or before August 22, 2017.

Dated: July 7, 2017


KENDALL J. NEWMAN
UNITED STATES MAGISTRATE JUDGE

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