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UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

JEFFREY JON MILLS,
Petitioner,
v.
RONALD DAVIS,
Respondent.

No. 2:17-cv-2195 WBS DB
DEATH PENALTY CASE
ORDER

On October 20, 2017, petitioner Jeffrey Jon Mills, a state prisoner facing capital punishment, filed a request for appointment of counsel, for stay of execution, and to proceed in forma pauperis, pursuant to 28 U.S.C. § 2254. Rule 3(a) of the Rules Governing § 2254 Cases provides that a petitioner seeking in forma pauperis status shall file an affidavit of assets as required by 28 U.S.C. § 1915, as well as a certification from the prison stating the amount on deposit in the petitioner’s account. Petitioner has filed a supporting declaration with his request for in forma pauperis status, asserting that he is indigent and has only minimal assets, and the prison has submitted a certified copy of petitioner’s trust account statement.

Good cause appearing, IT IS HEREBY ORDERED as follows:

1. Petitioner’s motion to proceed in forma pauperis (ECF No. 2) is granted.
2. Petitioner’s application for appointment of counsel (ECF No. 1) is granted. This case is referred to the Eastern District Selection Board for a recommendation of qualified counsel.

1 3. There being no scheduled execution date pending, petitioner's request for a stay of
2 execution (ECF No. 1) is denied without prejudice to renewal should any proceedings related to
3 the execution of his sentence of death, including preparation for execution and the setting of an
4 execution date, be instituted in state court during the pendency of the instant proceedings.

5 4. The Clerk of the Court is directed to serve a copy of this order on the Office of the Federal
6 Defender, Eastern District Selection Board, 801 I St., Sacramento, CA 95814.

7 Dated: November 6, 2017

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11 _____
12 DEBORAH BARNES
13 UNITED STATES MAGISTRATE JUDGE
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17 DB/orders/capital/mills.appt csl
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