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UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA

KEVIN A. BROWN,  
Petitioner,  
v.  
JIM ROBERTSON,  
Respondent.

No. 2:20-cv-0991 KJM DB P

ORDER

Petitioner is a state prisoner proceeding pro se with a petition for a writ of habeas corpus pursuant to 28 U.S.C. § 2254. On September 28, 2021, the court denied the petition. Petitioner appealed. On April 18, 2024, the Ninth Circuit Court of Appeals remanded the case to the district court for consideration of an exhaustion issue.

Petitioner recently filed a document asking about the status of the case and whether he needs to file any documents at this time. Petitioner is advised that he need not file anything until ordered to do so by the court.

Also, it has come to the court’s attention that shortly after the district court entered judgment in 2021, a motion for the appointment of counsel was filed here. That motion will be denied without prejudice to its renewal at a later time and based on the status of these proceedings.

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Accordingly, IT IS HEREBY ORDERED that petitioner's motion for the appointment of counsel (ECF No. 40) is denied without prejudice.

Dated: July 3, 2024



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DEBORAH BARNES  
UNITED STATES MAGISTRATE JUDGE

DLB:9  
DB prisoner inbox/habeas/R/brow0991.csl or