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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 SCR P

ORDER

Petitioner is a state prisoner proceeding pro se with an application for writ of habeas corpus pursuant to 28 U.S.C. § 2254. The Court of Appeals for the Ninth Circuit recently remanded this case to the district court for consideration of exhaustion issues. In light of the complexity of the legal issues involved, this court has determined that the interests of justice require appointment of counsel. See 18 U.S.C. § 3006A(a)(2)(B); see also Rule 8(c), Rules Governing Section 2254 Cases (section 3006A permits appointment of counsel at any stage of the proceedings).

Accordingly, IT IS HEREBY ORDERED that:

- 1. The Federal Defender is appointed to represent petitioner.
- 2. The Clerk of the Court shall serve a copy of this order on the Federal Defender,

Attention: Habeas Appointment.

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3. Within thirty days of the date of this order, petitioner’s counsel shall file a brief addressing the exhaustion issues raised by the Court of Appeals in its April 16, 2024 order. (ECF No. 44.) Respondent shall file a response within twenty days of petitioner’s filing. Within ten days thereafter, petitioner may file a reply.

Dated: November 22, 2024



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SEAN C. RIORDAN  
UNITED STATES MAGISTRATE JUDGE