

United States District Court  
For the Northern District of California

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IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA

JOSEPH P. GUTIERREZ,  
Petitioner,

No. C 05-1537 SI

**ORDER APPOINTING COUNSEL**

v.

A.P. KANE and BOARD OF PRISONS TERMS  
COMMISSIONERS,  
Respondents.

The mandate has issued in the case, and petitioner has filed a *pro se* "application for appointment of counsel on evidentiary hearing." Although petitioner was previously represented by counsel, the Court has been informed by counsel (Michael Satris Esq.) that he will not be representing petitioner on remand. The Court directs Mr. Satris to file a formal notice of withdrawal.

Pursuant to 18 U.S.C. § 3006A(g), the Court finds it appropriate to appoint new counsel to represent petitioner on remand. The Court will refer this matter to the Federal Public Defender to find representation for petitioner. The Court will wait until notified by the Federal Public Defender's office as to which attorney will represent petitioner to schedule a case management conference. When the Court holds a case management conference, the Court will discuss the necessity, if any, of an evidentiary hearing, and set a briefing schedule. (Docket Nos. 24 & 28). The Clerk shall serve this order on petitioner, respondents, Mr. Satris, and the Federal Public Defender's office.

**IT IS SO ORDERED.**

Dated: September 14, 2010



SUSAN ILLSTON  
United States District Judge