

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

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

MICHAEL ANTHONY SAAVEDRA,	)	No. C 09-0178 CRB (PR)
	)	
Plaintiff,	)	ORDER GRANTING MOTION FOR APPOINTMENT OF COUNSEL
	)	
vs.	)	
	)	
A. HEDGPETH, et al.,	)	
	)	
Defendants.	)	(Docket #99)
_____	)	

This is a civil rights case filed pro se by a state prisoner. The Court granted in part and denied in part defendants’ motion for summary judgment. The claims that remain in the case are (1) plaintiff’s due process claim that defendants Hedgpeth, Martinez, and Valdez failed to provide him with an opportunity to contest official’s claim that he is a member of the EME prison gang; and (2) his claim that defendant Hughes was deliberately indifferent to his safety. The case was referred to Magistrate Judge Nandor Vadas for mediation. Judge Vadas reports that the case did not settle.

Plaintiff has twice moved for appointment of counsel. Both motions were denied. It now appears, however, that the case will be tried. The Court has sua sponte reconsidered the denial of counsel, and concludes that counsel should be appointed. The most recent denial of plaintiff’s motion for counsel (document

1 number 99 on the docket) is VACATED. The motion is GRANTED.

2 This matter is referred to the Federal Pro Bono Project to find counsel.

3 (a) The clerk shall forward to the Federal Pro Bono Project: (i) a  
4 copy of this order, (ii) a copy of the docket sheet, and (iii) a copy of the operative  
5 complaint and relevant court orders.

6 (b) Upon an attorney being located to represent plaintiff, that  
7 attorney shall be appointed as counsel for plaintiff in this matter until further  
8 order of the court.

9 (c) All proceedings in this action are stayed until four weeks from  
10 the date an attorney is appointed to represent plaintiff.

11 SO ORDERED.

12 DATED: January 12, 2012

13   
14 \_\_\_\_\_  
15 CHARLES R. BREYER  
16 United States District Judge  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28