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5 UNITED STATES DISTRICT COURT  
6 FOR THE NORTHERN DISTRICT OF CALIFORNIA  
7 OAKLAND DIVISION  
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9 STEVEN W. BONILLA,

10 Petitioner,

11 v.

12 MICHAEL MARTEL, Acting Warden of  
13 San Quentin State Prison,

14 Respondent.  
15  
16

Case Number C 08-471 CW

DEATH PENALTY CASE

ORDER LIFTING STAY AND  
DENYING PETITIONER'S  
REQUEST TO PROCEED WITHOUT  
COUNSEL

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18 Petitioner Steven Bonilla has been sentenced to death by the  
19 Superior Court of California for the County of Alameda. On  
20 January 22, 2008, while his state habeas case was still being  
21 litigated, Bonilla filed a request for appointment of counsel for  
22 his future federal habeas litigation in this Court, under case  
23 number C-08-471 CW. Pursuant to Habeas Local Rule 2254-25, this  
24 Court granted his request for appointment of counsel and referred  
25 this action to the Northern District's Selection Board for the  
26 recommendation of qualified counsel to represent Petitioner in  
27 these proceedings.

28 On May 2, 2012, this Court issued an order staying all  
proceedings in this matter until appointment of counsel to

1 represent Petitioner, and on May 23, 2012, this Court denied  
2 Petitioner's request to represent himself in these proceedings.  
3 On July 25, 2012, this court issued an order appointing the  
4 Office of the Federal Public Defender for the District of Nevada  
5 to represent Petitioner. Accordingly, the stay in this matter is  
6 hereby LIFTED.

7 Despite the appointment of counsel, Petitioner has continued  
8 to file numerous pro se pleadings, including a motion to withdraw  
9 his request for court-appointed counsel. For the reasons set  
10 forth in this Court's order of May 23, 2012, Petitioner's motion  
11 is DENIED. The right to self-representation does not extend to  
12 post-conviction proceedings. Martinez v. Court of Appeal of  
13 California, 528 U.S. 152, 163 (2000); Tamalini v. Stewart, 249 F.  
14 3d 895, 901-902 (9<sup>th</sup> Cir. 2001). This Court, exercising its  
15 discretion, finds that self-representation would not be in  
16 Petitioner's best interests. Self-representation is often  
17 unwise, and considering the complexity of capital habeas  
18 litigation, would likely be detrimental to Petitioner.

19 The remainder of Petitioner's pending pro se requests and  
20 motions are DENIED. The Clerk of Court shall terminate all  
21 pending motions.

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23 IT IS SO ORDERED.

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26 DATED: 8/29/2012

  
27 CLAUDIA WILKEN  
United States District Judge