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

KYLE WHELAN AVERY,)	No. C 03-4233 RMW (PR)
)	
Plaintiff,)	ORDER APPOINTING
)	COUNSEL
v.)	
)	
OFFICER THOMPSON,)	
)	
Defendant.)	

Plaintiff, a state prisoner proceeding pro se, filed a civil rights complaint under 42 U.S.C. § 1983, arguing that Officer Thompson violated plaintiff’s First Amendment rights. On June 24, 2011, the Court denied defendant’s motion for summary judgment, and denied plaintiff’s motion for summary judgment. The case was then referred to Magistrate Judge Nandor Vadas for mediation. After settlement proceedings proved unsuccessful, the court granted Plaintiff’s motion to appoint counsel and referred this matter to the Federal Pro Bono Project of the Volunteer Legal Services Program (“VLSP”) to locate counsel.

The VLSP has informed the court that Lori Rifkin, located at 315 Montgomery St., 10th Floor, San Francisco, CA 94104, has agreed to serve as appointed pro bono counsel for plaintiff. Thus, Lori Rifkin is hereby APPOINTED as counsel for plaintiff pursuant to 28 U.S.C. § 1915(e)(1) and the court’s Federal Pro Bono Project guidelines. The scope of this referral shall

1 be for all purposes for the duration of the case.

2 The clerk shall set this matter for a case management conference within 90 days of the
3 filing date of this order.

4 IT IS SO ORDERED.

5 DATED: _____

Ronald M. Whyte
RONALD M. WHYTE
United States District Judge

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UNITED STATES DISTRICT COURT
FOR THE
NORTHERN DISTRICT OF CALIFORNIA

AVERY,

Plaintiff,

v.

WOODFORD ET AL et al,

Defendant.

Case Number: CV03-04233 RMW

CERTIFICATE OF SERVICE

I, the undersigned, hereby certify that I am an employee in the Office of the Clerk, U.S. District Court, Northern District of California.

That on May 16, 2013, I SERVED a true and correct copy(ies) of the attached, by placing said copy(ies) in a postage paid envelope addressed to the person(s) hereinafter listed, by depositing said envelope in the U.S. Mail, or by placing said copy(ies) into an inter-office delivery receptacle located in the Clerk's office.

Kyle Whelan Avery E-67897
California Correctional Institution
C.S.P. - Richard J. Donovan (RJD)
480 Alta Road
P. O. Box 799002
San Diego, CA 92179-9002

Dated: May 16, 2013

Richard W. Wieking, Clerk
By: Jackie Lynn Garcia, Deputy Clerk