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

QUANDO L. TREMBLE,

Petitioner,

v.

R. B. BARNES, Warden,

Respondent.

) No. C 14-01079 HRL (PR)

) ORDER TO SHOW CAUSE;
) GRANTING MOTION FOR LEAVE
) TO PROCEED *IN FORMA PAUPERIS*

) (Docket No. 2)

Petitioner, a state prisoner proceeding pro se, filed a petition for a writ of habeas corpus pursuant to 28 U.S.C. § 2254, challenging his state conviction.

Petitioner’s motion for leave to proceed in forma pauperis, (Docket No. 2), is

GRANTED.

BACKGROUND

According to the petition, Petitioner was found guilty of first degree robbery, first degree burglary, transportation of marijuana and two enhancements after a jury trial in Mendocino County. (Pet. 2.) Petitioner was sentenced to 19 years in state prison on May 8, 2009. (Id., Ex. E.)

Petitioner appealed his conviction, and the state appellate court affirmed. (Pet. 3.) The state high court denied review. (Id.) Petitioner also filed petitions for

1 writ of habeas corpus in the state courts, and the state high court denied review on
2 October 9, 2012.

3 Petitioner filed the instant federal habeas petition on March 7, 2014.
4

5 DISCUSSION

6 A. Standard of Review

7 This court may entertain a petition for a writ of habeas corpus “in behalf of a
8 person in custody pursuant to the judgment of a State court only on the ground that
9 he is in custody in violation of the Constitution or laws or treaties of the United
10 States.” 28 U.S.C. § 2254(a).

11 It shall “award the writ or issue an order directing the respondent to show
12 cause why the writ should not be granted, unless it appears from the application that
13 the applicant or person detained is not entitled thereto.” *Id.* § 2243.

14 B. Legal Claims

15 Petitioner claims the following as grounds for federal habeas relief: (1) there
16 was insufficient evidence to support the robbery conviction; (2) ineffective
17 assistance of counsel for failing to object to the admission into evidence of
18 Petitioner’s back tattoos; and (3) the trial court violated Petitioner’s right against
19 self-incrimination when he forced him to stand and reveal his back tattoos. Liberally
20 construed, these claims are cognizable under § 2254 and merit an answer from
21 Respondent.
22

23 CONCLUSION

24 For the foregoing reasons and for good cause shown,

25 1. The Clerk shall serve by certified mail a copy of this order and the
26 petition (Docket No. 1) and all attachments thereto on Respondent and Respondent’s
27 attorney, the Attorney General of the State of California. The Clerk also shall serve
28 a copy of this order on Petitioner.

UNITED STATES DISTRICT COURT
FOR THE
NORTHERN DISTRICT OF CALIFORNIA

QUANDO L TREMBLE,
Petitioner,

Case Number: CV14-01079 HRL
CERTIFICATE OF SERVICE

v.

R. B. BARNES, Warden,
Respondent.

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 10/9/14, 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.

Quando Lecharles Tremble T-83130
California Correctional Center
P.O. Box 2210
Susanville, CA 96127-2210

Dated: 10/9/14

R. Cronwell, deputy
Richard W. Wieking, Clerk