

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO

Civil Action No. 13-cv-02375-RPM

ABRAHAM HAGOS,

Applicant,

v.

RICK RAEMISCH, Executive Director,
JAMES FALK, Warden, Sterling Correctional Facility, and
JOHN SUTHERS, Attorney General of the State of Colorado,

Respondents.

ORDER DEFERRING MOTION FOR APPOINTMENT OF COUNSEL

This Petition for Writ of Habeas Corpus Pursuant to 28 U.S.C. § 2254 was filed on September 3, 2013, by Jonathan D. Reppucci as attorney for the petitioner. Upon review of the petition, this Court issued an Order to Show Cause on October 10, 2013, as to why this proceeding should not be stayed because of the uncertainty as to whether the grant of a writ of habeas corpus pursuant to this petition would shorten the duration of the petitioner's confinement. The order required a filing by October 31, 2013.

In his Motion for Appointment of Counsel Pursuant to The Criminal Justice Act, 18 U.S.C. § 3006A [10], Mr. Reppucci asks for his appointment because the petitioner's family is unable to pay for him.

As noted in the response filed by the Attorney General of the State of Colorado, [11], this Court has not yet determined whether this civil action should proceed at this

time, considering that the life sentence on the murder conviction is pending in the Tenth Circuit Court of Appeals. It is no great burden on petitioner's counsel to submit a response to the Order to Show Cause without a CJA appointment at this time and it is therefore

ORDERED that ruling on the motion for appointment of counsel is deferred and it is

FURTHER ORDERED that the petitioner shall respond to the Order to Show Cause on or before November 22, 2013.

DATED November 7, 2013.

BY THE COURT:

s/Richard P. Matsch

RICHARD P. MATSCH, Senior Judge
United States District Court