

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ILLINOIS**

JOSEPH PERRONE,

Petitioner,

v.

**Civil Case No. 14-cv-281-DRH
Criminal Case No. 09-cr-30016-DRH**

UNITED STATES OF AMERICA,

Respondent.

ORDER

HERNDON: District Judge:

This matter is before the Court on petitioner Joseph Perrone's motion to compel (Doc. 29) and motion to withdraw court appointed attorney (Doc. 30).

Pursuant to 18 U.S.C. § 3006A(a)(2)(B), the Court previously appointed Latoya M. Berry to assist Perrone in his § 2255 petition (Doc.14). On October 14, 2014, petitioner filed a pro se motion for the withdrawal of his court appointed counsel, alleging communication issues between them (Doc. 30). The Court still finds that justice requires appointment of counsel to represent petitioner Perrone in his collateral attack. Therefore, the Court **APPOINTS** John R. Clemmons, 813 West Main Street, Carbondale, IL 62901, of the CJA panel, to represent petitioner Perrone.

In addition, petitioner filed a motion to compel Ms. Berry to turn over her file, specifically requesting that she send "petitioner's change of plea and unsealed

grand jury transcripts to him” (Doc. 29). Because petitioner was granted newly appointed counsel, his motion to compel (Doc. 29) is **GRANTED IN PART** and **DENIED IN PART**. Ms. Berry is ordered to turn over Perrone’s case file to his newly appointed counsel, John R. Clemmons. No part of the file will be sent directly to petitioner.

IT IS SO ORDERED.

Signed this 30th day of October, 2014.

 David R.
Herndon
2014.10.30
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**District Judge
United States District Court**