

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

JOSEPH MELVIN ANDERSON,

Petitioner,

v.

CASE NO. 12-11735
HONORABLE DENISE PAGE HOOD

CARMEN PALMER,

Respondent.

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**ORDER DENYING PETITIONER'S MOTION
FOR APPOINTMENT OF COUNSEL (DKT #16)**

Petitioner Joseph Melvin Anderson has appealed the Court's opinion and order denying his habeas corpus petition. The habeas petition challenged Petitioner's Oakland County conviction and sentence of twelve to forty years for armed robbery. Petitioner claimed that his trial attorney was ineffective and that he was sentenced on the basis of inaccurate information. The Court determined that Petitioner was not entitled to habeas relief because the state appellate court's rejection of Petitioner's claims "for lack of merit" was objectively reasonable.

Currently pending before this Court is Petitioner's motion for appointment of counsel on appeal. Petitioner alleges that the issues on appeal are complex, have considerable merit, and involve principles of major significance.

The filing of a notice of appeal generally "confers jurisdiction on the court of appeals and divests the district court of control over those aspects of the case involved in the appeal." *Marrese v. Am. Acad. of Orthopaedic Surgeons*, 470 U.S. 373, 379 (1985) (citing

Griggs v. Provident Consumer Disc. Co., 459 U.S. 56, 58 (1982) (*per curiam*)).

Consequently, Petitioner's motion for appointment of counsel (document 16, filed April 24, 2014) is DENIED.

S/Denise Page Hood
Denise Page Hood
United States District Judge

Dated: May 7, 2014

I hereby certify that a copy of the foregoing document was served upon counsel of record on May 7, 2014, by electronic and/or ordinary mail.

S/LaShawn R. Saulsberry
Case Manager