

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION**

LEONARD LEWIS KING,

Petitioner,

v.

Case No. 20-11273

MIKE BROWN,

Respondent.

**OPINION AND ORDER DENYING WITHOUT PREJUDICE
PETITIONER'S MOTION FOR APPOINTMENT OF COUNSEL
AND GRANTING PETITIONER'S MOTION TO AMEND**

Petitioner Leonard Lewis King filed a petition for a writ of habeas corpus under 28 U.S.C. § 2254. He has also filed a motion to appoint counsel and a motion to amend his habeas petition, which are currently pending before the court.

A habeas petitioner may obtain representation at any stage of the case “[w]henever the United States magistrate judge or the court determines that the interests of justice so require.” 18 U.S.C. § 3006A(a)(2)(B). The court has not yet conducted a plenary review of the case and therefore finds Petitioner’s request for counsel to be premature. The court will deny Petitioner’s request without prejudice and will reconsider this request on its own motion once it reviews the pleadings and the state court record.

In his motion to amend, Petitioner seeks to add factual details to his petition and to correct certain information and citations. Federal Rule of Civil Procedure 15 provides

that the court should freely allow a party to amend a pleading when justice so requires. Fed. R. Civ. P. 15(a)(2). The court finds that amendment at this early stage is appropriate under the liberal amendment standard, particularly given that the Government has not yet filed its response and will not be prejudiced by amendment. The court will grant Petitioner's motion to amend and receives the information contained therein. Accordingly,

IT IS ORDERED that Petitioner's motion for appointment of counsel (ECF No. 2) is DENIED WITHOUT PREJUDICE.

IT IS FURTHER ORDERED that Petitioner's motion to amend (ECF No. 3) is GRANTED.

s/Robert H. Cleland /
ROBERT H. CLELAND
UNITED STATES DISTRICT JUDGE

Dated: June 2, 2020

I hereby certify that a copy of the foregoing document was mailed to counsel of record on this date, June 2, 2020, by electronic and/or ordinary mail.

s/Lisa Wagner /
Case Manager and Deputy Clerk
(810) 292-6522