

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

JAMES THOMAS HALL,)
)
Petitioner,)
)
v.)
)
HAROLD W. CLARKE,)
)
Respondent.)

4:02CV3241

**MEMORANDUM
AND ORDER**

This matter is before the court on correspondence from Petitioner James T. Hall addressed to United States District Judge John M. Gerrard. (See Filing No. [132](#).) The undersigned judge responds to this correspondence in his capacity as supervising judge of the pro se docket. As best as the undersigned judge can tell from this correspondence, Petitioner seeks the appointment of counsel to represent him in habeas corpus proceedings. Accordingly, the undersigned judge has directed the clerk’s office to file this correspondence in this case, which is Petitioner’s most-recent habeas corpus action.

The court will deny Petitioner’s request for the appointment of counsel. Petitioner does not have a case pending in this court. Moreover, this court’s records reflect that any habeas corpus action filed in this court seeking to challenge Petitioner’s conviction for second degree murder in the District Court of Lancaster County, Nebraska, would be successive. (See the court’s Memorandum and Order dismissing this case with prejudice on July 27, 2004, at Filing Number [110](#).) If Petitioner wishes to continue to pursue this matter, he should file a motion with the Eighth Circuit Court of Appeals fully addressing the legal requirements for successive habeas petitions set forth in [28 U.S.C. § 2244\(b\)](#). Petitioner may also seek the appointment of counsel in that court.

IT IS THEREFORE ORDERED that:

1. Petitioner's request for the appointment of counsel (Filing No. [132](#)) is denied.
2. Petitioner has attached original documents addressed to the United States Supreme Court to his correspondence seeking the appointment of counsel. (*See* Filing No. [132-1](#) and Filing No. [132-2](#).) The clerk's office is directed to return these original documents to Petitioner together with this Memorandum and Order.

DATED this 21st day of July, 2014.

BY THE COURT:

Richard G. Kopf
Senior United States District Judge