

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

STUART D. HOWARD,	)	4:12CV3194
	)	
Petitioner,	)	
	)	
v.	)	<b>MEMORANDUM</b>
	)	<b>AND ORDER</b>
ROBERT P. HOUSTON,	)	
	)	
Respondent.	)	

This matter is before the court on Petitioner’s “Renewed Motion to Appoint Counsel and Request for an Evidentiary Hearing.” (Filing No. [25](#).) For the reasons set forth in the court’s Memorandum and Order entered earlier today, Petitioner’s request for the appointment of counsel is denied. In addition, Petitioner’s request for an evidentiary hearing is denied. The court will determine whether an evidentiary hearing and the appointment of counsel are warranted after the court reviews the parties’ submissions and the state court records. Accordingly,

IT IS THEREFORE ORDERED that: Petitioner’s “Renewed Motion to Appoint Counsel and Request for an Evidentiary Hearing” (Filing No. [25](#)) is denied.

DATED this 4<sup>th</sup> day of March, 2013.

BY THE COURT:

*Richard G. Kopf*

Senior United States District Judge

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