

investigate and articulate the claims is unusually impaired or an evidentiary hearing is required. See, e.g., [Morris v. Dormire, 217 F.3d 556, 558-59 \(8th Cir. 2000\)](#), cert. denied, 531 U.S. 984 (2000); [Hoggard v. Purkett, 29 F.3d 469, 471 \(8th Cir. 1994\)](#), (citations omitted); see also Rule 8(c) of the *Rules Governing Section 2254 Cases in the United States District Courts* (requiring appointment of counsel if an evidentiary hearing is warranted). Upon review of the pleadings and Petitioner’s Motion, there is no need for the appointment of counsel at this time.

C. Motion to Show Cause

Petitioner asks this court to bring criminal charges against Respondents because prison staff did not deliver Petitioner’s “Notice of Constitutional Question to United States Attorney General Eric Holder [by] certified mail as Petitioner requested.” (Filing No. [16](#).) Petitioner argues that these actions have deprived him of his First Amendment right to petition the government for a redress of grievances. ([Id.](#) at CM/ECF p. 1.)

This court may entertain an application for writ of habeas corpus on behalf of a person in state custody “only on the ground that he is in custody in violation of the Constitution or laws or treaties of the United States.” [28 U.S.C. § 2254\(a\)](#). Federal habeas review is not a forum for attacking the actions of prison staff or the conditions of Petitioner’s confinement. Accordingly, Petitioner’s Motion will be denied.

IT IS THEREFORE ORDERED that:

1. Petitioner’s Motion for Leave to Amend (Filing No. [7](#)) is granted;
2. Petitioner’s Motion to Appoint Counsel (Filing No. [11](#)) is denied without prejudice to reassertion; and

3. Petitioner's Motion to Show Cause (Filing No. [16](#)) is denied.

DATED this 13th day of March, 2013.

BY THE COURT:

s/Laurie Smith Camp
Chief United States District Judge

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