

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

CARLOS A. ESCOBAR,

Petitioner,

vs.

ANTHONY SCILLIA, et al.,

Respondents.

Case No. 2:10-CV-01973-KJD-(RJJ)

ORDER

Petitioner has paid the filing fee. He has also submitted a motion for appointment of counsel (#2). Petitioner is unable to afford counsel, and the issues presented warrant the appointment of counsel. See 18 U.S.C. § 3006A(a)(2)(B).

IT IS THEREFORE ORDERED that the clerk of the court file the petition.

IT IS FURTHER ORDERED that petitioner’s motion for appointment of counsel (#2) is **GRANTED**. The Federal Public Defender is provisionally appointed to represent petitioner

IT IS FURTHER ORDERED that the Federal Public Defender shall have thirty (30) days from the date that this order is entered to undertake direct representation of petitioner or to indicate to the court her inability to represent petitioner in these proceedings. If the Federal Public Defender does undertake representation of petitioner, it shall then have sixty (60) days to file an amended petition for a writ of habeas corpus. If the Federal Public Defender is unable to represent petitioner, then the court shall appoint alternate counsel.

IT IS FURTHER ORDERED that the clerk shall add Catherine Cortez Masto, Attorney General for the State of Nevada, as counsel for respondents.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

IT IS FURTHER ORDERED that the clerk shall electronically serve both the Attorney General of the State of Nevada and the Federal Public Defender a copy of the petition (#1) and a copy of this order.

IT IS FURTHER ORDERED that petitioner's application for leave to proceed in forma pauperis (#3) is **GRANTED**.

DATED: January 20, 2011



KENT J. DAWSON
United States District Judge