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**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

RONALD ROSS,

Petitioner,

vs.

WARDEN WILLIAMS, et al.,

Respondents.

Case No. 2:14-cv-01527-JCM-PAL

ORDER

Petitioner has paid the filing fee. Petitioner also has submitted an application to proceed in forma pauperis (#5). The application is moot because petitioner already has paid the filing fee.

Petitioner has submitted a motion for appointment of counsel (#6). Petitioner is unable to afford counsel, and the issues presented warrant the appointment of counsel. See 18 U.S.C. § 3006A(a)(2)(B).

Petitioner has submitted a motion for an evidentiary hearing (#7); it is the same document as the motion for appointment of counsel. The court denies the motion because it cannot determine at this stage of the proceedings whether an evidentiary hearing is necessary or allowed.

Petitioner has submitted a request for filing and stay. The request is moot because the court is appointing counsel.

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

IT IS FURTHER ORDERED that the clerk file the request for filing and stay.

IT IS FURTHER ORDERED that the request for filing and stay is **DENIED** as moot.

1 IT IS FURTHER ORDERED that the application to proceed in forma pauperis (#5) is
2 **DENIED** as moot.

3 IT IS FURTHER ORDERED that the motion for appointment of counsel (#6) is
4 **GRANTED**. The Federal Public Defender is provisionally appointed to represent petitioner.

5 IT IS FURTHER ORDERED that the motion for evidentiary hearing (#7) is **DENIED**.

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

12 IT IS FURTHER ORDERED that neither the foregoing deadline nor any extension thereof
13 signifies or will signify any implied finding of a basis for tolling during the time period established.
14 Petitioner at all times remains responsible for calculating the running of the federal limitation period
15 and timely asserting claims.

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

18 IT IS FURTHER ORDERED that the clerk shall electronically serve both the Attorney
19 General of the State of Nevada and the Federal Public Defender a copy of the petition and a copy of
20 this order.

21 IT IS FURTHER ORDERED that respondents' counsel shall enter a notice of appearance
22 within twenty (20) days of entry of this order, but no further response shall be required from
23 respondents until further order of the court.

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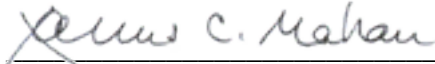
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IT IS FURTHER ORDERED that any exhibits filed by the parties shall be filed with a separate index of exhibits identifying the exhibits by number or letter. The CM/ECF attachments that are filed further shall be identified by the number or numbers (or letter or letters) of the exhibits in the attachment. The hard copy of any additional state court record exhibits shall be forwarded—for this case—to the staff attorneys in Las Vegas.

DATED: November 25, 2014.



JAMES C. MAHAN
United States District Judge