

**UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA**

8 || DEBARON SANDERS,

9 || Petitioner,

2:14-cv-01966-JCM-NJK

10 | vs.

## ORDER

11 BRIAN WILLIAMS, SR., *et al.*,

## 12 Respondents.

15 In this habeas corpus action, brought *pro se* by Nevada prisoner Debaron Sanders, the  
16 respondents filed a motion to dismiss (ECF No. 13) on December 2, 2015, asserting that Sanders' habeas  
17 petition was untimely filed, and is therefore barred by the statute of limitations, and that one claim in  
18 his petition fails to state a claim cognizable in this federal habeas corpus action. Sanders is due to  
19 respond to the motion to dismiss by January 19, 2016. *See* Order entered November 18, 2015 (ECF No.  
20 12).

21 On December 16, 2015, Sanders filed motions requesting that the time for him to respond  
22 to the motion to dismiss be extended (ECF No. 19) and requesting appointment of counsel (ECF  
23 No. 20). Respondents did not respond to those motions.

24 In light of the severity of Sanders' convictions, the length of the prison sentences he is serving,  
25 the complexity of his case -- particularly, at this point, the complexity of the issues raised by the statute  
26 of limitations defense -- and his apparent lack of sophistication regarding the law, and considering the

1 information provided with Sanders' application to proceed *in forma pauperis* (ECF No. 1), the court will  
2 grant Sanders' motion for appointment of counsel (ECF No. 20).

3 The court will also grant Sanders' motion for an extension of time for the response to the motion  
4 to dismiss (ECF No. 19), and will suspend that response until after counsel appears for Sanders.

5 Therefore, the Federal Public Defender for the District of Nevada (FPD) will be appointed to  
6 represent Sanders in this case. If the FPD is unable to represent Sanders, due to a conflict of interest or  
7 other reason, then alternate counsel will be located and appointed. In either case, counsel will represent  
8 petitioner in all federal-court proceedings relating to this matter, unless allowed to withdraw.

9 **IT IS ORDERED** that petitioner's motion for appointment of counsel (ECF  
10 No. 20) is **GRANTED**. The Federal Public Defender for the District of Nevada (FPD) is appointed to  
11 represent petitioner.

12 **IT IS FURTHER ORDERED** that the clerk of the court shall electronically serve on the FPD  
13 a copy of this order, together with a copy of the petition for writ of habeas corpus (ECF No. 6). The FPD  
14 shall have **30 days** from the date of entry of this order to file a notice of appearance, or to indicate to the  
15 court its inability to represent the petitioner in these proceedings.

16 **IT IS FURTHER ORDERED** that petitioner's motion for extension of time to respond to the  
17 motion to dismiss (ECF No. 19) is **GRANTED**. Petitioner's response to the motion to dismiss is  
18 suspended, pending the appointment of counsel to represent him. After counsel has appeared for  
19 petitioner, the court will set a new deadline for petitioner to respond to the motion to dismiss.

20 Dated January 25, 2016.

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UNITED STATES DISTRICT JUDGE  
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