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**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

DEBARON SANDERS,

Petitioner,

2:14-cv-01966-JCM-NJK

vs.

ORDER

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

Respondents.

_____ /

In this habeas corpus action, brought by Nevada prisoner Debaron Sanders, Sanders' appointed counsel filed a motion to withdraw on June 14, 2016 (ECF No. 29), and the court granted that motion, and discharged Sanders' counsel, on June 17, 2016 (ECF No. 30). The court will now appoint new counsel to represent Sanders, and will set a schedule for further proceedings in this case.

IT IS THEREFORE ORDERED that William Gamage (1775 Village Center Cir., Suite 190, Las Vegas, NV 89134, 702-386-9529) is appointed to represent the petitioner, Debaron Sanders, in this action.

IT IS FURTHER ORDERED that the clerk of the court shall serve a copy of this order on William Gamage. The clerk of the court shall also serve a copy of this order on the petitioner, Debaron Sanders.

1 **IT IS FURTHER ORDERED** that William Gamage shall have **10 days** from the date of
2 entry of this order to file a notice of appearance for the petitioner, or to indicate to the court his
3 inability to represent the petitioner in these proceedings.

4 **IT IS FURTHER ORDERED** that the following schedule shall govern the further litigation
5 of this action:

6 1. **Amended Petition.** If necessary, petitioner shall file and serve an amended petition
7 for writ of habeas corpus within **90 days** after entry of this order. The amended petition shall
8 specifically state whether each ground for relief has been exhausted in state court; for each claim that
9 has been exhausted in state court, the amended petition shall state how, when, and where that
10 occurred. If petitioner determines that an amended petition need not be filed, then, within 90 days
11 after entry of this order, petitioner shall file and serve a statement to that effect.

12 2. **Response to Petition.** Respondents shall have **60 days** following service of the
13 amended petition to file and serve an answer or other response to the amended petition. If petitioner
14 does not file an amended petition, respondents shall have **60 days** following the due-date for the
15 amended petition to file and serve an answer or other response to petitioner's original petition.

16 3. **Reply and Response to Reply.** Petitioner shall have **45 days** following service of
17 an answer to file and serve a reply. Respondents shall thereafter have **30 days** following service of a
18 reply to file and serve a response to the reply.

19 4. **Briefing of Motion to Dismiss.** If respondents file a motion to dismiss, petitioner
20 shall have **45 days** following service of the motion to file and serve a response to the motion.
21 Respondents shall thereafter have **20 days** following service of the response to file and serve a reply.

22 5. **Discovery.** If petitioner wishes to move for leave to conduct discovery, petitioner
23 shall file and serve such motion concurrently with, but separate from, the response to respondents'
24 motion to dismiss or the reply to respondents' answer. Any motion for leave to conduct discovery
25 filed by petitioner before that time may be considered premature, and may be denied, without
26 prejudice, on that basis. Respondents shall file and serve a response to any such motion concurrently

1 with, but separate from, their reply in support of their motion to dismiss or their response to
2 petitioner's reply. Thereafter, petitioner shall have 20 days to file and serve a reply in support of the
3 motion for leave to conduct discovery.

4 **6. Evidentiary Hearing.** If petitioner wishes to request an evidentiary hearing,
5 petitioner shall file and serve a motion for an evidentiary hearing concurrently with, but separate
6 from, the response to respondents' motion to dismiss or the reply to respondents' answer. Any
7 motion for an evidentiary hearing filed by petitioner before that time may be considered premature,
8 and may be denied, without prejudice, on that basis. The motion for an evidentiary hearing must
9 specifically address why an evidentiary hearing is required, and must meet the requirements of
10 28 U.S.C. § 2254(e). The motion must state whether an evidentiary hearing was held in state court,
11 and, if so, state where the transcript is located in the record. If petitioner files a motion for an
12 evidentiary hearing, respondents shall file and serve a response to that motion concurrently with, but
13 separate from, their reply in support of their motion to dismiss or their response to petitioner's reply.
14 Thereafter, petitioner shall have 20 days to file and serve a reply in support of the motion for an
15 evidentiary hearing.

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Dated July 14, 2016.


UNITED STATES DISTRICT JUDGE