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## UNITED STATES DISTRICT COURT

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## DISTRICT OF NEVADA

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8 RICHARD DENSON,

9       Petitioner,

2:15-cv-01473-APG-PAL

10 vs.

**ORDER**11 DWIGHT NEVEN, *et al.*,

12       Respondents.

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15       In this habeas corpus action, brought *pro se* by Nevada prisoner Richard Denson, Denson  
16 filed an amended petition for writ of habeas corpus on May 25, 2017 (ECF No. 29). The Court will  
17 now set a schedule for respondents to respond to the amended habeas petition, and for further  
18 proceedings in this action.

19       On May 25, 2017, Denson filed a motion for appointment of counsel (ECF No. 30). The  
20 court will deny Denson's motion for appointment of counsel. "Indigent state prisoners applying for  
21 habeas corpus relief are not entitled to appointed counsel unless the circumstances of a particular  
22 case indicate that appointed counsel is necessary to prevent due process violations." *Chaney v.*  
23 *Lewis*, 801 F.2d 1191, 1196 (9th Cir. 1986) (citing *Kreiling v. Field*, 431 F.2d 638, 640 (9th Cir.  
24 1970) (per curiam). The Court may, however, appoint counsel at any stage of the proceedings "if  
25 the interests of justice so require." *See* 18 U.S.C. § 3006A; *see also* Rule 8(c), Rules Governing §  
26 2254 Cases; *Chaney*, 801 F.2d at 1196. The Court has reviewed Denson's amended habeas petition,

1 and the other documents he has filed in this case, and determines that appointment of counsel is not  
2 warranted.

3 **IT IS THEREFORE ORDERED** that petitioner's motion for appointment of counsel  
4 (ECF No. 30) is **DENIED**.

5 **IT IS FURTHER ORDERED** that respondents shall have 60 days from the date of entry  
6 of this order to answer or otherwise respond to the amended petition for writ of habeas corpus  
7 (ECF No. 29).

8 **IT IS FURTHER ORDERED** that if respondents file an answer, petitioner shall have 60  
9 days to file a reply. If respondents file a motion to dismiss, petitioner shall have 60 days to file a  
10 response to the motion to dismiss, and respondents shall, thereafter, have 30 days to file a reply in  
11 support of the motion.

12 Dated: May 31, 2017.

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16 UNITED STATES DISTRICT JUDGE