

1 (9th Cir.1993). The decision to appoint counsel is generally discretionary. *Chaney v.*
2 *Lewis*, 801 F.2d 1191, 1196 (9th Cir.1986), cert. denied, 481 U.S. 1023 (1987); *Bashor*
3 *v. Risley*, 730 F.2d 1228, 1234 (9th Cir.), cert. denied, 469 U.S. 838 (1984). However,
4 counsel must be appointed if the complexities of the case are such that denial of
5 counsel would amount to a denial of due process, and where the petitioner is a person
6 of such limited education as to be incapable of fairly presenting his claims. See
7 *Chaney*, 801 F.2d at 1196; *see also Hawkins v. Bennett*, 423 F.2d 948 (8th Cir.1970).
8 Here, Gonzalas is serving a term of life with the possibility of parole after twenty years;
9 additionally, he raises numerous claims in his petition, some of which may involve more
10 complex legal issues. Therefore, Gonzalas' motion for counsel is granted.
11

12 **IT IS THEREFORE ORDERED** that the Clerk **shall file and ELECTRONICALLY**
13 **SERVE** the petition (ECF No. 1-1) on the respondents.
14

15 **IT IS FURTHER ORDERED** that the Clerk shall add Adam Paul Laxalt, Nevada
16 Attorney General, as counsel for respondents.
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18 **IT IS FURTHER ORDERED** that petitioner's motion for appointment of counsel
19 (ECF No. 2) is **GRANTED**.
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21 **IT IS FURTHER ORDERED** that the Federal Public Defender for the District of
22 Nevada (FPD) is appointed to represent petitioner.
23

24 **IT IS FURTHER ORDERED** that the Clerk shall **ELECTRONICALLY SERVE** the
25 FPD with a copy of this order, together with a copy of the petition for writ of habeas
26 corpus (ECF No. 1-1). The FPD shall have thirty (30) days from the date of entry of this
27 order to file a notice of appearance or to indicate to the court its inability to represent
28 petitioner in these proceedings.
29

IT IS FURTHER ORDERED that after counsel has appeared for petitioner in this case, the court will issue a scheduling order, which will, among other things, set a deadline for the filing of an amended petition.

DATED: February 6, 2018.

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**RICHARD F. BOULWARE, II
UNITED STATES DISTRICT JUDGE**