



1 right to appointed counsel for a federal habeas corpus proceeding.<sup>5</sup> The decision to appoint  
2 counsel is generally discretionary.<sup>6</sup> But counsel must be appointed if the claims are so complex  
3 and the petitioner is so uneducated that denying counsel would amount to a denial of due  
4 process.<sup>7</sup> The legal issues that Love raises are complex, and Love is unlikely to competently  
5 articulate them. So I grant Love's motion for appointment of counsel.

#### 6 **Conclusion**

7 Accordingly, the **Clerk of Court** is directed to **FILE and SERVE the petition [ECF**  
8 **No. 1] on the respondents.** The **Clerk of Court** is also directed to **ADD Adam Paul Laxalt,**  
9 Nevada Attorney General, as counsel for respondents.

10 IT IS FURTHER ORDERED that Love's motion for appointment of counsel [ECF No.  
11 **2] is GRANTED.** The Federal Public Defender (FPD) for the District of Nevada is appointed to  
12 represent Love in her federal habeas action.

13 The **Clerk of Court** is directed to **ELECTRONICALLY SERVE the FPD a copy of**  
14 **this order, together with a copy of the petition for writ of habeas corpus.** The **FPD has until**  
15 **December 13, 2017,** to file a notice of appearance or to indicate to the court its inability to  
16 represent Love in these proceedings. After counsel has appeared for Love in this case, the court  
17 will issue a scheduling order that will, among other things, set a deadline for the filing of an  
18 amended petition.

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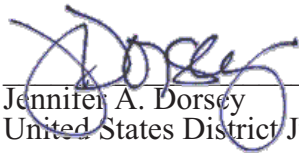
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24 <sup>5</sup> *Pennsylvania v. Finley*, 481 U.S. 551, 555 (1987); *Bonin v. Vasquez*, 999 F.2d 425, 428 (9th  
25 Cir.1993).

26 <sup>6</sup> *Chaney v. Lewis*, 801 F.2d 1191, 1196 (9th Cir.1986); *Bashor v. Risley*, 730 F.2d 1228, 1234  
27 (9th Cir.).

28 <sup>7</sup> *See Chaney*, 801 F.2d at 1196; *see also Hawkins v. Bennett*, 423 F.2d 948 (8th Cir.1970).

1 IT IS FURTHER ORDERED that Love's motion for leave to file excess pages [ECF No.  
2 3] is DENIED as moot.

3 DATED: November 13, 2017.

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6 Jennifer A. Dorsey  
7 United States District Judge  
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