



1 counsel must be appointed if the complexities of the case are such that denial of counsel  
2 would amount to a denial of due process, and where the petitioner is a person of such  
3 limited education as to be incapable of fairly presenting his claims. See *Chaney*, 801  
4 F.2d at 1196; see also *Hawkins v. Bennett*, 423 F.2d 948 (8th Cir.1970). Here, Torrez-  
5 Mejia's first-amended petition reflects that another inmate assisted him in writing the  
6 petition, and in his motion for counsel, Torrez-Mejia asserts that he cannot read or write  
7 in English. In order to ensure due process, Torrez-Mejia's motion for counsel shall be  
8 granted.  
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10 **IT IS THEREFORE ORDERED** that the Clerk **shall file and ELECTRONICALLY**  
11 **SERVE** the petition (ECF No. 1-1) on the respondents.

12 **IT IS FURTHER ORDERED** that the Clerk shall add Adam Paul Laxalt, Nevada  
13 Attorney General, as counsel for respondents.  
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15 **IT IS FURTHER ORDERED** that petitioner's motion for appointment of counsel  
16 (ECF No. 2) is **GRANTED**.

17 **IT IS FURTHER ORDERED** that the Federal Public Defender for the District of  
18 Nevada (FPD) is appointed to represent petitioner.

19 **IT IS FURTHER ORDERED** that the Clerk shall **ELECTRONICALLY SERVE** the  
20 FPD a copy of this order, together with a copy of the petition for writ of habeas corpus  
21 (ECF No. 1-1). The FPD shall have thirty (30) days from the date of entry of this order  
22 to file a notice of appearance or to indicate to the court its inability to represent  
23 petitioner in these proceedings.  
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**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 this 23rd day of June, 2018.



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RICHARD F. BOULWARE, II  
UNITED STATES DISTRICT JUDGE