



1 outlined in the motion: (a) go to the merits, which is not at issue at present; (b) go to the  
2 availability of a stay to exhaust unexhausted claims, which also is not at issue at  
3 present; and/or (c) rely on state and federal authorities regarding procedures other than  
4 a federal petition for a writ of habeas corpus challenging a state court conviction. No  
5 competent counsel would raise the arguments that petitioner is seeking to have raised  
6 in response to the show-cause order. Thus, if the Court appointed competent substitute  
7 counsel, petitioner would have the same issue with substitute counsel. The Court will  
8 not engage in the futility of serially replacing competent appointed counsel merely  
9 because petitioner wishes to pursue completely meritless arguments.


10 The motions to expedite and for appointment of substitute counsel therefore will  
11 be denied.

12 The motion to raise petitioner's prison copy credit limit also will be denied. Even  
13 if the motion otherwise were properly supported, which it is not, petitioner has no need  
14 to make legal copies for this action. He is represented by counsel.

15 It is therefore ordered that petitioner's proper person motions (dkt. nos. 91-93) to  
16 expedite, for appointment of substitute counsel, and to raise his copy credit limit are  
17 denied.

18 The Clerk of Court shall send a photocopy of both this order and dkt. no. 90 to  
19 the petitioner in proper person at the Northern Nevada Correctional Center address  
20 shown on the docket sheet and shall reflect that transmittal in the docket entry for this  
21 order.

22 DATED THIS 25<sup>th</sup> day of November 2013.

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26 MIRANDA M. DU  
27 UNITED STATES DISTRICT JUDGE  
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