

1

2

3

4

5

6

7

UNITED STATES DISTRICT COURT

8

DISTRICT OF NEVADA

9

* * *

10 DONALD STEVEN YAAG,

Case No. 3:14-cv-00295-MMD-WGC

11 Petitioner,

ORDER

12 v.

13 ROBERT LeGRAND, *et al.*,

14 Respondents.

15

16 This action is a petition for a writ of habeas corpus filed pursuant to 28 U.S.C. §
17 2254 by a Nevada state prisoner. On December 15, 2016, this Court granted
18 petitioner's motion for counsel and appointed the Federal Public Defender to represent
19 petitioner in this action. (ECF No. 41.) On January 17, 2017, the Federal Public
20 Defender's Office filed a notice of appearance for petitioner. (ECF No. 42.) The Court
21 now sets a schedule for further proceedings in this action.

22 It is therefore ordered that counsel for petitioner must meet with petitioner as
23 soon as reasonably possible, if counsel has not already done so, to: (a) review the
24 procedures applicable in cases under 28 U.S.C. § 2254; (b) discuss and explore with
25 petitioner, as fully as possible, the potential grounds for habeas corpus relief in
26 petitioner's case; and (c) advise petitioner that all possible grounds for habeas corpus
27 relief must be raised at this time in this action and that the failure to do so will likely
28 result in any omitted grounds being barred from future review.

1 It is further ordered that petitioner will have ninety (90) days from the date of
2 entry of this order, to file and serve on respondents an amended petition for writ of
3 habeas corpus, which must include all known grounds for relief (both exhausted and
4 unexhausted).

5 It is further ordered that respondents will have thirty (30) days after service of an
6 amended petition within which to answer, or otherwise respond to, the amended
7 petition. If petitioner does not file an amended petition, respondents will have thirty (30)
8 days from the date on which the amended petition is due within which to answer, or
9 otherwise respond to, petitioner's original petition.


10 It is further ordered that if and when respondents file an answer, petitioner will
11 have thirty (30) days after service of the answer to file and serve a reply.

12 It is further ordered that all exhibits filed by the parties herein must be filed with
13 an index of exhibits identifying the exhibits by number. Exhibits filed in the CM/ECF
14 system must correspond to the numbered exhibits identified in the index of exhibits. To
15 the extent possible, the parties will avoid filing duplicate exhibits.

16 It is further ordered that the parties will send courtesy (paper) copies of all
17 exhibits to the Reno Division of this Court. Courtesy copies must be delivered to the
18 Clerk of Court, 400 S. Virginia St., Reno, NV, 89501, and directed to the attention of
19 "Staff Attorney" on the outside of the address label.

20 It is further ordered that petitioner will file no further *pro se* documents and must
21 proceed by and through appointed counsel.

22 DATED THIS 31st day of January 2017.

23
24 
25 _____
26 MIRANDA M. DU
27 UNITED STATES DISTRICT JUDGE
28