

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

ROBERT MARC LEEDS,

Petitioner,

vs.

WARDEN BACA, *et al.*,

Respondents.

Case No. 3:15-cv-00261-LRH-VPC

ORDER

This action is a petition for a writ of habeas corpus filed pursuant to 28 U.S.C. § 2254 by a Nevada state prisoner.

The original *pro se* petition and attachments were received by the Court on May 18, 2015. (ECF No. 1). A *pro se* amended petition was filed on June 1, 2015. (ECF No. 3). On October 29, 2015, this Court granted petitioner's motion for counsel and appointed the Federal Public Defender to represent petitioner in this action. (ECF No. 7). On November 30, 2015, Melanie Gavisk of the Federal Public Defender's Office appeared on behalf of petitioner. (ECF No. 10). The Court now sets a schedule for further proceedings in this action.

IT IS THEREFORE ORDERED that counsel for petitioner shall meet with petitioner as soon as reasonably possible, if counsel has not already done so, to: (a) review the procedures applicable in cases under 28 U.S.C. § 2254; (b) discuss and explore with petitioner, as fully as possible, the potential grounds for habeas corpus relief in petitioner's case; and (c) advise petitioner

1 that all possible grounds for habeas corpus relief must be raised at this time in this action and that
2 the failure to do so will likely result in any omitted grounds being barred from future review.

3 **IT IS FURTHER ORDERED** that petitioner shall have **ninety (90) days** from the date of
4 entry of this order, to **FILE AND SERVE** on respondents a second amended petition for writ of
5 habeas corpus, which shall include all known grounds for relief (both exhausted and unexhausted).

6 **IT IS FURTHER ORDERED** that respondents shall have **forty-five (45) days** after service
7 of the second amended petition within which to answer, or otherwise respond to, the second
8 amended petition.

9 **IT IS FURTHER ORDERED** that if and when respondents file an answer, petitioner shall
10 have **forty-five (45) days** after service of the answer to file and serve a reply.


11 **IT IS FURTHER ORDERED** that all exhibits filed by the parties herein shall be filed with
12 an index of exhibits identifying the exhibits by number. Exhibits filed in the CM/ECF system must
13 correspond to the numbered exhibits identified in the index of exhibits.

14 **IT IS FURTHER ORDERED** that the parties **SHALL SEND** courtesy (paper) copies of all
15 exhibits to the **Reno** Division of this Court. Courtesy copies shall be mailed to the Clerk of Court,
16 400 S. Virginia St., Reno, NV, 89501, and directed to the attention of "Staff Attorney" on the
17 outside of the mailing address label.

18 **IT IS FURTHER ORDERED** that the all pleadings and court filings shall be served on the
19 Federal Public Defender's Office (FPD), at the address indicated on the FPD's notice of appearance.

20 **IT IS FURTHER ORDERED** that petitioner shall file no further *pro se* documents and
21 shall proceed by and through appointed counsel.

22 Dated this 2nd day of December, 2015.

23
24
25 
26 LARRY R. HICKS
UNITED STATES DISTRICT JUDGE