

1 F.2d 425, 428 (9th Cir.1993). The decision to appoint counsel is generally
2 discretionary. *Chaney v. Lewis*, 801 F.2d 1191, 1196 (9th Cir.1986), cert. denied, 481
3 U.S. 1023 (1987); *Bashor v. Risley*, 730 F.2d 1228, 1234 (9th Cir.), cert. denied, 469
4 U.S. 838 (1984). However, counsel must be appointed if the complexities of the case
5 are such that denial of counsel would amount to a denial of due process, and where the
6 petitioner is a person of such limited education as to be incapable of fairly presenting his
7 claims. See *Chaney*, 801 F.2d at 1196; see also *Hawkins v. Bennett*, 423 F.2d 948 (8th
8 Cir.1970). Here, Dominguez is serving a sentence of life without the possibility of
9 parole, and the legal issues he wishes to raise may be complex. Therefore,
10 Dominguez's motion for counsel shall be granted.
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12 **IT IS THEREFORE ORDERED** that petitioner's application to proceed *in forma*
13 *pauperis* (ECF No. 1) is **GRANTED**.
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15 **IT IS FURTHER ORDERED** that the Clerk shall file and **ELECTRONICALLY**
16 **SERVE** the petition (ECF No. 1-1) on the respondents.
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18 **IT IS FURTHER ORDERED** that the Clerk shall add Adam Paul Laxalt, Nevada
19 Attorney General, as counsel for respondents.
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21 **IT IS FURTHER ORDERED** that the Clerk shall detach petitioner's motion for
22 appointment of counsel (ECF No. 1-3).
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24 **IT IS FURTHER ORDERED** that petitioner's motion for appointment of counsel is
25 **GRANTED**.
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27 **IT IS FURTHER ORDERED** that the Federal Public Defender for the District of
28 Nevada (FPD) is appointed to represent petitioner.

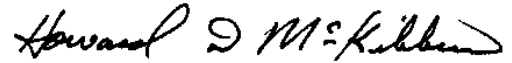
IT IS FURTHER ORDERED that the Clerk shall **ELECTRONICALLY SERVE** the
FPD a copy of this order, together with a copy of the petition for writ of habeas corpus

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(ECF No. 1-1). The FPD shall have thirty (30) days from the date of entry of this order to file a notice of appearance or to indicate to the court its inability to represent petitioner in these proceedings.

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: April 10, 2017.



HOWARD D. MCKIBBEN
UNITED STATES DISTRICT JUDGE