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UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

* * *

DERRICK LAMAR McKNIGHT,

Petitioner,

v.

WARDEN BAKER, *et al.*,

Respondents.

Case No. 3:17-cv-00681-MMD-CBC

ORDER

Following upon the Federal Public Defender's notice of conflict (ECF No. 21),

It is ordered that the provisional appointment of the Federal Public Defender is withdrawn and that the following practitioner is appointed as counsel for Petitioner pursuant to 18 U.S.C. § 3006A(a)(2)(B):

Michelle Ryan, Esq.
Law Office of Michelle A. Ryan, LLC
3439 SE Hawthorne Blvd., # 225
Portland, OR 97214
(503) 284-3292

Counsel will represent Petitioner in all federal proceedings related to this matter, including any appeals or *certiorari* proceedings, unless allowed to withdraw.

It is further ordered that the Court grants Ms. Ryan permission to appear *pro hac vice* in all federal proceedings related to this matter during the pendency of this appointment, and the Court waives the requirements of Local Rule LR IA 11-2 for a verified petition for permission to appear *pro hac vice* and payment of a two hundred fifty dollar (\$250.00) fee. The Court finds that such waiver is in the interests of justice given a temporary limited availability of counsel on this District's Criminal Justice Act (CJA) panel and Ms. Ryan's membership on the corresponding CJA panel in the District of Oregon.

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It is further ordered that Petitioner will have 60 days from entry of this order within which to file a counseled amended petition. Any deadline established and/or any extension thereof will not signify any implied finding of a basis for tolling during the time period established. Petitioner at all times remains responsible for calculating the running of the federal limitation period and timely presenting claims. That is, by setting a deadline and/or by granting any extension thereof, the Court makes no finding or representation that the petition, any amendments thereto, and/or any claims contained therein are not subject to dismissal as untimely. See *Sossa v. Diaz*, 729 F.3d 1225, 1235 (9th Cir. 2013).

Following entry of Ms. Ryan as counsel of record on the docket, the Clerk of Court will provide counsel, upon her request, with a single set of electronic copies of all prior filings herein in a manner consistent with the Clerk's current practice, such as regeneration of notices of electronic filing.

The Clerk of Court further will send a copy of this order to the Petitioner in proper person at the last institutional address in the record and reflect said transmittal either via the notice of electronic filing or on the docket, in a manner consistent with the Clerk's current practice.

DATED THIS 20th day of May 2019.



MIRANDA M. DU
UNITED STATES DISTRICT JUDGE