

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION AT DAYTON**

IN RE Capital Habeas Corpus Litigation,

Magistrate Judge Michael R. Merz

AMENDMENT TO ORDER APPOINTING COUNSEL

In each of the following capital habeas corpus cases, the Order appointing counsel refers to the Petitioner's qualification for appointed counsel under 21 U.S.C. § 848(q). As of March 9, 2006, that statute was replaced with 18 U.S.C. § 3599. The Court finds that each of the Petitioners in the following cases is qualified for appointed counsel under 18 U.S.C. § 3599 and the appointments of counsel heretofore made in these cases shall be deemed to have been made under the newer statute.

1:07-cv-111 Hughbanks v. Hudson

2:07-cv-595 Turner v. Hudson

2:07-cv-846 Hand v. Houk

1:07-cv-776 Elmore v. Houk

3:07-cv-345 Conway v. Houk

3:08-cv-076 Bays v. Warden

The Clerk shall docket this Order in each of the above-captioned cases.

April 14, 2009.

s/ **Michael R. Merz**
United States Magistrate Judge