

**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

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**AMENDMENT TO ORDER APPOINTING COUNSEL**

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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