
Name

Identification Number

Correctional Institution

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

_____ Petitioner,		_____-CV-_____ EX PARTE MOTION FOR APPOINTMENT OF COUNSEL
vs.		
_____, et al., Respondent		

COMES NOW _____, in Proper Person, and moves this Court for its order allowing the appointment of counsel for Petitioner. This motion is made and based in the interest of justice.

Pursuant to Title 18 § 3006A. of the Federal Rules of Criminal Procedure,

(2) Whenever the United States magistrate or the court determines that the interests of justice so require, representation may be provided for any financially eligible person who . . .

* * *

(B) is seeking relief under section 2241, 2254, 2255 of title 28.

The Court must appoint counsel where the complexities of the case are such that denial of counsel would amount to a denial of due process, Brown v. United States, 623 F.2d 54, 61 (9th Cir. 1980), and/or where the petitioner is a person of such limited education as to be incapable of presenting his claims in such a way that the Court can afford him a fair hearing, see Hawkins v. Bennet, 423 F.2d 948 (8th Cir. 1970).

Petitioner alleges that the issues in this case are complex, that petitioner is unable to adequately present the claims without the assistance of counsel, and that Petitioner is unable to retain private counsel to represent him

Petitioner hereby respectfully requests that the Court appoint counsel for the reasons stated above.

DATED this _____ day of _____, 20____.

Respectfully submitted,

PETITIONER