

(Orig. + Copy to Clerk of Court)

In The United States District Court  
Northern District  
Southern Division

ORIGINAL - )  
FILED

NOV 1 - 1965

Application of:

Robert Charles Jordan Jr.

U.S. Dist. Ct. No. 44309

CLERK, U. S. DIST. COURT

VS

J. Fitzharris, Warden, et. al.  
Vocational Training Facility  
Salinas, California  
State of California  
County of Monterey

SS: Motion and petition for appointment  
of legal Counsel.

SS Motion and petition In Re: Jordan vs Fitzharris  
No. 44309 (Oct. 27, 1965)

To: The Honorable Judge, Presiding, In The above Entitled Court.

Respectfully:

I, Robert Charles Jordan Jr, Petitioner, do hereby say and state: that this  
action is brought in good faith, that he is a poor and indigent person and  
does not possess the means to hire, or pay for the services of, legal Counsel in  
representing him in his cause of action.

On October 27, 1965, the Honorable George B. Harris of this Honorable  
Court did issue a 'show cause' order to the respondents on petition for writ  
Habeas Corpus by petitioner (Jordan vs Fitzharris # 44309) and set the  
day of November 8, 1965 for the return. It was further ordered that the  
respondent appear November 16, 1965 before this Honorable Court in person  
in complete compliance to to said order of show cause.

Petitioner was given until November 16, 1965 to file a traverse to the  
return of respondents which petitioner intends to do, or desires to do.  
Petitioner however is a layman, unversed and unskilled at law and does  
not possess the legal knowledge and/or skill necessary to  
litigate this action without legal assistance of Counsel. Petitioner has  
not been enabled to prepare and file his petitions and motions thus far only.

through the limited advice of fellow inmates, unversed in law and laymen like petitioner himself.

Petitioner wherefore respectfully requests and motions this Honorable Court that learned legal counsel be appointed, by this Honorable Court, to aid him in the presentation and prosecution of his case and cause, and that petitioner be aided *In propria persona* and *In Forma pauperis* with learned legal counsel at any and all hearings, reviews, or discussions of his case and cause; and be aided and assisted by legal counsel in his traverse to the return of the respondent to the show cause order and all proceedings pending thereof. Petitioner is unknowledgeable in the meaning, form or construction of a traverse and not having the skill or acumen necessary to construct one and the respondent having the vast legal knowledge and resources of the California Attorney General's office to call upon and petitioner having no knowledge of law could not hope to compete or refute any argument presented by the trained legal officers of that office.

Petitioner's motion in these matters is supported in *re*:

- (1). *Price vs Johnson*, 161 F.2d 705 (9<sup>th</sup> Cir. 1947) *Certiorari granted*, 331 U.S. 804, 67 S.Ct. 1757 (1949)
- (2). *Ekberg vs McLee*, 194 F.2d 178 (9<sup>th</sup> Cir.)
- (3). *Walker vs Johnson*, 312 U.S. 275 61 S.Ct. 574, 85 S.Ct. 830
- (4). *Herman vs Blandy*, 350 U.S. 116, 123 (1956)
- (5). *Johnson vs United States*, 352 U.S. 565
- (6). *Powell vs Alabama*, 287 U.S. 45
- (7). *Gideon vs Wainwright*, 372 U.S. 335

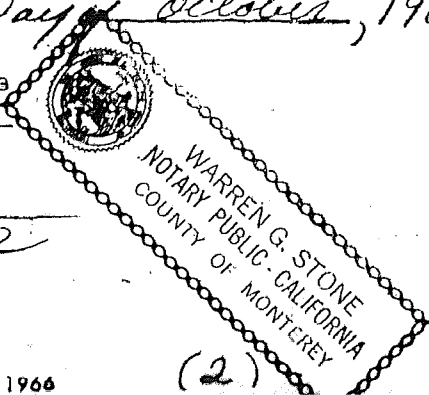
Dated This 29 Day of October, 1965

Subscribed and sworn to before me this 29th day of Oct., 1965.

*Warren G. Stone*  
Notary Public in and for the County of Monterey, State of California.

WARREN G. STONE

My Commission Expires Jan. 28, 1966



Robert C. Jordan Jr.  
P.O. Box A-46604  
Salinas, California  
*In Propria Persona*  
*In Forma Pauperis*