

IN THE UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SOUTHERN DIVISION

ROBERT CHARLES JORDAN, JR.,
Petitioner,
v.
C. J. FITZHARRIS, Warden, et al.,
Respondents.

No. 44309

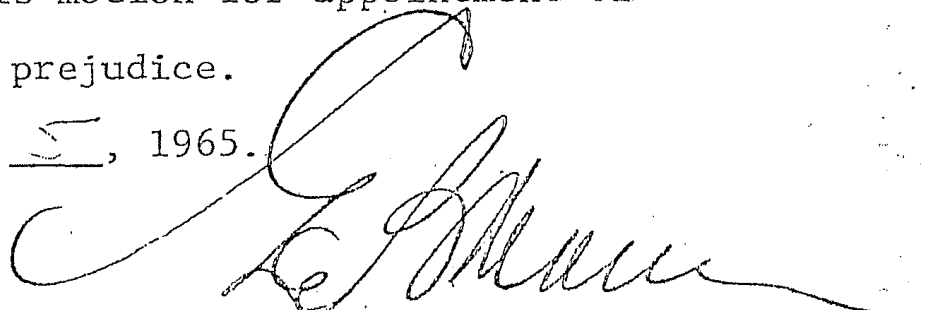
O R D E R

Petitioner moves this court to appoint counsel to assist him with the preparation of a traverse to the return of the State due on November 8, 1965.

Petitioner is advised that this motion is premature. The purpose of the traverse is to present a true factual picture of the circumstances surrounding the petition. The petitioner is not expected to argue the law. If the court determines that there is a factual dispute, counsel may be ordered appointed. If only a question of law exists after the return and traverse are filed, the court will summarily decide the case without appointing counsel.

Accordingly, this motion for appointment of counsel is DENIED without prejudice.

DATED: NOVEMBER 5, 1965.



United States District Judge

5-65
file mailed
a.g.