

court by allowing counsel to develop Battle's arguments and focus the court's analysis. Of course, the complexity of the issues takes on greater significance in a case involving the death penalty. Id 902f.2d 702.

Citing Chaney v. Lewis, 801f.2d 1191,1196(9th Cir. 1986)(complexity of issues coupled with death penalty requires appointment of counsel.)

If the petitioner so qualifies as a capital defendant then there maybe yet another statute which may apply to him requiring the appointment of counsel. The Supreme Court stated in relations to section 848(q)(4)(B) that, " In any post conviction proceeding under 2254 or 2255 of title 28, seeking to vacate or set aside a death sentence, any defendant who is or becomes financially unable to obtain adequate representation or investigative, expert, or other reasonably necessary services shall be entitled to appointment of one or more attorneys and the furnishing of such other services in accordance with paragraphs (5),(6),(7),(8), and (9).1/

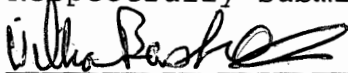
Petitioner submits that this Court should appoint counsel to represent him in the instant case principally due to:(1) petitioner poverty and inability to retain counsel;(2) the fact that petitioner lacks education and is unfamiliar with the law and procedures making him legally unsophisticated;(3)the fact that petitioner's claims are meritorious and will turn on substantial and complex procedural and mixd legal and factual issues, and in the interest of justice, in conformity with Battle v. Armontrout, (Supra).

Other such factors that the Court should consider for the appointment of counsel to the petitioner; is the need of counsel to interview, depose and subpoena witnesses to appear, or evidence production by expansion of the record, as well as other factors. See U.S. v. Gardiner, 666 F. Supp. 267,274(D. Maine 1987)(Expansion of the record is required in the present case to determine whether petitioner's claim that he was denied effective assistance of counsel has merit.)

CONCLUSION

WHEREFORE, the petitioner implore that this Honorable Court to appoint him counsel to help with further court proceeding.

Respectfully submitted this 22 day of January, 2014.



Petitioner, Pro Se

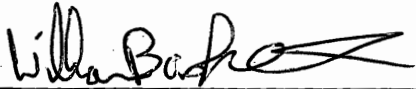
1/Although the petitioner did not receive a death sentence the jury in his case was not unanimous against the imposition for death. So if this Court were to vacate the petitioner's sentence and conviction and if the government sought to retry him the option of receiving a death sentence would still be one that is viable to him.

DECLARATION OF SERVICE AND MAILING

I, William Baskerville, do hereby state under penalty of perjury pursuant to Title 28 U.S.C. § 1746 that I have this day served and mailed/filed this "Petitioner's Pro Se Motion For The Appointment of Counsel", by depositing such in the prison mailing system with 1st class prepaid postage affixed. I have addressed as follow:

U.S. District Court
District of New Jersey
Office of the Clerk of Court
402 E. State Street, Room 2020
Trenton, New Jersey 08608

Done this 22 day of January, 2014



William Baskerville
Reg.#25940-050
Federal Correctional Complex
U.S.P. #1 P.O.Box 1033
Coleman, Florida 33521

January 22, 2014

William Baskerville
Reg. #25946-050
Federal Correctional Complex
U.S.P. #1 P.O. box 1033
Coleman, Florida 33521

RECEIVED

JAN 27 2014

AT 8:30 _____ M
WILLIAM T. WALSH
CLERK

U.S. District Court
District of New Jersey
Office of the Clerk of Court
402 E. State Street, Room 2020
Trenton, New Jersey

Re: U.S.v. Baskerville, Criminal# CR-03-836
Civil 13-5881(JAP)

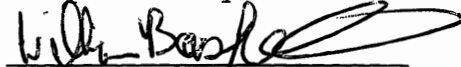
Dear Honorable Clerk of Court,

Please find for filing and consideration by the Court my pro se "Motion For The Appointment of Counsel", "Application To Proceed Without Payment of Fees and Affidavt" and a " Declaration of service and Mailing".

I request that your office pleas return a clock-filed copy. I have provided a SASE envelope for your convenience to return.

Thank you for your time and concidration in this matter.

Respectfully



Pro Se Petitioner

William DASEK # 25946050
GENERAL CORRECTIONS COMPLEX U.S.P.#
P.O. Box 1033
Trenton, Florida 33521



U.S. District Court
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