

USA v. Davis

CR-80-13-1-SD 01/11/95
UNITED STATES DISTRICT COURT FOR THE
DISTRICT OF NEW HAMPSHIRE

United States of America

v.

Criminal No. 80-13-1-SD

Lester Davis

O R D E R

Currently confined at New Hampshire State Prison, Lester Davis moves the court for appointment of counsel for the purpose of proceedings before the United States Parole Commission.¹

It appears that Davis is currently entitled to a dispositional record review under the regulations of the Parole Commission. He has filed the requisite statement of indigency with this court.

Under former 18 U.S.C. § 4214(a)(2)(B), Davis is entitled to appointment of counsel if he otherwise qualifies.² Finding that

¹Davis was sentenced on a drug offense in this court on December 1, 1980. His sentence included incarceration for three years and a five-year special parole term. Subsequent state drug and firearm charges resulted in a sentence on April 13, 1993, which in turn triggered a charge of federal parole violation.

²The repeal of the federal parole statutes, 18 U.S.C. §§ 4201-4218, was extended by subsequent legislation to a ten-year period, during which time Davis's state offenses were committed.

such qualification here exists, it is accordingly ordered that counsel be appointed for Lester Davis for the purpose of representation in his proceeding before the United States Parole Commission.

SO ORDERED.

Shane Devine, Senior Judge
United States District Court

January 11, 1995

cc: United States Attorney
United States Marshal
United States Probation
Lester Davis, pro se

Section 4214(a)(2)(B) entitles him to appointment of counsel pursuant to the Criminal Justice Act (CJA), 18 U.S.C. § 3006A. The maximum amount payable for such representation under CJA is \$750. 18 U.S.C. § 3006A(d)(2).