

(Original + Copy to Clerk of Court)

In the United States District Court **FILED** (original)
Northern District
Southern Division

1 1965

JAMES P. WELSH, Clerk

Plaintiff:

Charles Jordan Jr.

U.S. Dist. Ct. No. 44309

Fitzharris, Warden, et al.

Prison Training Facility

San Diego, California

vs: Motion and petition for appointment
of legal Counsel.

State of California

County of Monterey

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

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

I, Robert Charles Jordan Jr, Petitioner, do hereby say and state: that this
petition is brought in good faith, that he is a poor and indigent person and
cannot 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
date 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 the said order of show cause.

Petitioner was given until November 16, 1965 to file a traverse to the
Court's 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
traverse this action without legal assistance of Counsel. Petitioner has
been enabled to prepare and file his petitions and motions thus far only
(1).

through the limited view of fellow inmates, reversed in law and manner 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 demand to the return of the respondent to the show cause order and all proceedings pending thereon. Petitioner is unsknowledgable 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) *Beice vs Johnson*, 161 F.2d 705 (9th Cir. 1947) Certiorari granted, 331 U.S. 804, 67 S. Ct. 1757 (1949)
- (2) *Ekberg vs McLee*, 194 F.2d 178 (9th Cir.)
- (3) *Walker vs Johnson*, 312 U.S. 275 61 S. Ct. 574, 85 L. Ed. 830
- (4) *Heerman 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) *Lidson vs Wainwright*, 372 U.S. 335

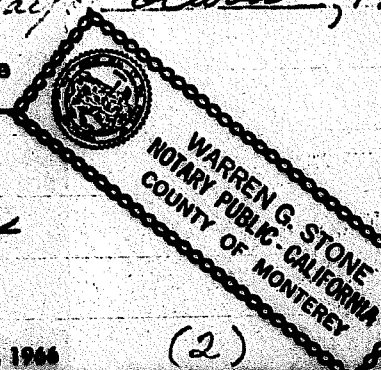
Dated This 29 Day of October, 1965

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



(2)

Robert Charles Jordan Jr.

P.O. Box A-46604

Soledad, California

In Propria Persona

In Forma Pauperis