

UNITED STATES DISTRICT COURT FOR THE MIDDLE DISTRICT OF
ALABAMA, SOUTHERN DIVISION

Gregory Wayne Carver v. Gwendolyn Davis

Carver · No. 1:26-CV-214-WKW · Decided April 30, 2026

SUMMARY

The United States District Court for the Middle District of Alabama denied Gregory Wayne Carver’s motion for appointment of counsel in his habeas proceeding, finding no exceptional circumstances or present requirement for appointed counsel. The court also denied his request for a blanket extension of time to object to future adverse orders or reports and recommendations.

CASE DETAILS

COURT	United States District Court for the Middle District of Alabama, Southern Division
WRITING FOR THE COURT	W. Keith Watkins
JURISDICTION	United States District Court for the Middle District of Alabama, Southern Division
DECIDED	April 30, 2026
DOCKET	1:26-CV-214-WKW
DISPOSITION	other
PROCEDURAL POSTURE	In a federal habeas proceeding, the petitioner moved for appointment of counsel and for a blanket extension of time to object to future adverse orders or a magistrate judge's report and recommendation.
STANDARD OF REVIEW	The court applied its broad discretion in determining whether appointment of counsel was warranted in the post-conviction proceeding and assessed the requests under the governing habeas rules and statutory standards.
PRECEDENTIAL VALUE	unpublished
PARTIES	Gregory Wayne Carver v. Gwendolyn Davis

TOPICS

- federal habeas corpus
- post-conviction relief
- civil procedure

PRACTICE AREAS

Federal habeas corpus

Post-conviction relief

Appointment of counsel

QUESTIONS PRESENTED

1. Whether the court should appoint counsel for the petitioner at the current stage of the federal habeas proceeding.
2. Whether the court should grant a blanket extension of time to object to future adverse orders or a future magistrate judge's report and recommendation.

HOLDINGS

1. At the current stage of the proceeding, appointment of counsel was not required under the habeas rules, and the petitioner failed to demonstrate exceptional circumstances or that the interests of justice required discretionary appointment. The motion to appoint counsel was therefore denied.
2. A court will not grant a blanket extension of deadlines that do not yet exist. The petitioner must file a motion seeking additional time before the applicable deadline expires.

KEY QUOTATIONS

"At this stage in these proceedings, the court is not required to appoint counsel."

"A blanket extension of deadlines that do not yet exist will not be granted."

FACTUAL BACKGROUND

Gregory Wayne Carver, an indigent incarcerated pro se habeas petitioner, asserted that his petition presented complicated issues, that he lacked legal training and resources, and that counsel was needed before the State's response and any potential evidentiary hearing. He also sought a blanket extension of time to object to any adverse orders or future magistrate judge reports and recommendations. The court found no exceptional circumstances requiring counsel at that stage and no existing deadline that could be extended.

PROCEDURAL HISTORY

The petitioner filed a federal habeas petition and moved for appointment of counsel and an extension of time to object to any future adverse orders. The district court denied both motions without prejudice to reconsidering appointment of counsel later if circumstances warranted.

DISPOSITION

other

CASES CITED

- Wright v. West, 505 U.S. 277, 293 (1992)
- United States v. Alford, 816 F. App'x 375, 376 (11th Cir. 2020) (per curiam)

- Seibert v. Comm’r, Ga. Dep’t of Corr., 680 F. App’x 837, 841 (11th Cir. 2017) (per curiam)
- Bass v. Perrin, 170 F.3d 1312, 1320 (11th Cir. 1999)

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