

UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF
CALIFORNIA

Taylor v. Warden, et al.

No. 2:25-cv-0398 TLN AC P · No. No. 2:25-cv-0398 TLN AC P · Decided May 28, 2025

SUMMARY

The United States District Court for the Eastern District of California denied Wayne Taylor III’s motion for appointment of counsel in his habeas proceeding. The court construed his request for emergency injunctive relief as seeking access to legal property and law-library resources, granted an extension until August 1, 2025, to respond to the motion to dismiss, and ordered respondents’ counsel to address his allegations regarding withheld property, a defective tablet, and lack of physical access to the law library.

CASE DETAILS

COURT	United States District Court for the Eastern District of California
WRITING FOR THE COURT	Allison Claire
JURISDICTION	United States District Court for the Eastern District of California
DECIDED	May 28, 2025
DOCKET	No. 2:25-cv-0398 TLN AC P
DISPOSITION	other
PROCEDURAL POSTURE	In a federal habeas proceeding under 28 U.S.C. § 2254, petitioner moved for emergency injunctive relief and appointment of counsel while respondents' motion to dismiss was pending.
PRECEDENTIAL VALUE	Unpublished district court order with limited precedential value
PARTIES	Wayne Taylor, III v. Warden, et al.

TOPICS

- federal habeas corpus
- injunctions
- motions to dismiss
- civil procedure
- prisoners rights

PRACTICE AREAS

- federal habeas corpus
- civil procedure
- prisoners rights
- injunctive relief

QUESTIONS PRESENTED

1. Whether appointment of counsel was warranted in the habeas proceeding.
2. How the court should construe petitioner's motion for emergency injunctive relief.
3. Whether petitioner should receive additional time to oppose respondents' motion to dismiss.
4. Whether respondents' counsel should be required to respond to petitioner's allegations concerning access to legal property and law-library resources.

HOLDINGS

1. There is no absolute right to appointment of counsel in habeas proceedings, and appointment is appropriate only when the interests of justice so require. On the circumstances presented, the interests of justice did not require appointment of counsel at that time.
2. The court construed petitioner's motion for emergency injunctive relief as a request concerning access to legal property and law-library resources, together with a motion for an extension of time to oppose respondents' motion to dismiss.
3. Petitioner was granted until August 1, 2025, to file a response to respondents' motion to dismiss.
4. Respondents' counsel was required to respond within fourteen days to petitioner's allegations that his legal property was being withheld, his tablet was not functioning, and he was being denied physical access to the law library.

KEY QUOTATIONS

“There currently exists no absolute right to appointment of counsel in habeas proceedings.” (at 1)

“18 U.S.C. § 3006A authorizes the appointment of counsel at any stage of the case “if the interests of justice so require.”” (at 1)

FACTUAL BACKGROUND

Petitioner alleged that legal property retained after his transfer was being withheld, that his state-issued tablet was defective and prevented access to law-library resources, and that a medical condition and inadequate wheelchair prevented physical access to the law library. He sought emergency relief and appointment of counsel based on these access problems and his alleged medical incapacity.

PROCEDURAL HISTORY

Petitioner filed a motion seeking emergency orders concerning access to his legal property, a replacement tablet, and wheelchair access to the law library, as well as appointment of counsel. The court denied appointment of counsel, construed the emergency-relief motion in part as a request concerning access to legal resources and in part as a motion for an extension of time, granted the extension, and ordered respondents' counsel to address petitioner's allegations.

DISPOSITION

other

CASES CITED

- Nevius v. Sumner, 105 F.3d 453, 460 (9th Cir. 1996)

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