

IN THE SUPREME COURT OF THE STATE OF NEVADA

MICHAEL P. ANSELMO,  
Appellant,  
vs.  
CONNIE BISBEE, CHAIRMAN; SUSAN  
JACKSON; TONY CORDA; ADAM  
ENDEL, COMMISSIONERS; AND THE  
STATE OF NEVADA BOARD OF  
PAROLE,  
Respondents.

No. 67619

**FILED**

**FEB 22 2016**

TRACIE K. LINDEMAN  
CLERK OF SUPREME COURT  
BY S. Vaena  
DEPUTY CLERK

*ORDER REGARDING PRO BONO COUNSEL*

On November 24, 2015, this court entered an order referring appellant to the Legal Aid Center of Southern Nevada for financial eligibility screening for the possible appointment of pro bono counsel.<sup>1</sup> The order directed a response within 60 days and, to date, no response has been received. Although the language of the order directed the clerk of this court to transmit a copy of the order to the Legal Aid Center of Southern Nevada, the Executive Director of the Legal Aid Center and the coordinator of the State Bar Pro Bono Committee were not included in the order's carbon copy list.


In an abundance of caution, we again direct the clerk of this court to transmit a copy of this order and the attached case summary to the Legal Aid Center of Southern Nevada for financial eligibility screening. If appellant qualifies and does not object to pro bono counsel, the Legal Aid Center in cooperation with the Pro Bono Committee of the

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<sup>1</sup>A copy of that order is attached.

Appellate Litigation Section of the State Bar of Nevada (Pro Bono Committee) shall locate a volunteer attorney from the program to represent appellant. Once an attorney is located, the attorney shall file a notice of appearance in this court within 60 days from the date of this order. Supplemental briefing and oral argument will be scheduled thereafter. Alternatively, if appellant is not financially eligible or objects to pro bono representation, or if a volunteer attorney cannot be located, the Legal Aid Center of Southern Nevada shall notify this court in writing within 60 days from the date of this order. In such case, oral argument will not be held, and this matter will remain subject to the provisions of the court's pilot program for civil litigants proceeding without counsel and shall stand submitted on the civil proper person appeal statement and the record.

It is so ORDERED.

 C.J.

cc: Michael P. Anselmo  
Attorney General/Carson City  
Legal Aid Center of Southern Nevada, Barbara E. Buckley,  
Executive Director  
Anne R. Traum, Coordinator, Appellate Litigation Section,  
Pro Bono Committee, State Bar of Nevada  
Kelly Dove

Docket No. 67619 *Anselmo v. Bisbee*

Appellant argued that the parole board has violated his constitutional rights by continuing to deny him parole after the pardons board commuted his sentence in 2005 to allow for parole after 5 years. In particular, this court would like pro bono counsel to provide briefing on the issue of whether the district court erred in dismissing appellant's petition for failure to state a cognizable claim in light of the California Supreme Court's decision in *In re Lawrence*, 190 P.3d 535 (Cal. 2008).

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NOV 24 2015

TRACIE K. LINDEMAN  
CLERK OF SUPREME COURT  
BY *[Signature]*  
DEPUTY CLERK

*ORDER REGARDING PRO BONO COUNSEL*

This is an appeal from a district court order dismissing a petition for writ of habeas corpus. Appellant is proceeding without legal representation in this appeal. Having considered the record and the proper person appeal statement, this court has determined that the appointment of pro bono counsel to represent appellant would assist this court in reviewing this appeal.<sup>1</sup> In particular, this court would like pro bono counsel to provide briefing on the issue of whether the district court erred in dismissing Michael P. Anselmo's petition for failure to state a cognizable claim in light of the California Supreme Court's decision in *In re Lawrence*, 190 P.3d 535 (Cal. 2008). By this order, the court expresses no opinion as to the merits of this appeal.

Pro bono counsel is an attorney who provides legal services without charge for the benefit of the public good. The appointment of pro bono counsel provides attorneys with an opportunity to volunteer legal

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<sup>1</sup>Habeas corpus proceedings are characterized as civil in nature. *Mayle v. Felix*, 545 U.S. 644, 654-55 (2005).

services in furtherance of their professional responsibility and, at the same time, allows financially eligible litigants access to quality legal representation without cost. Counsel will be appointed for purposes of this appeal only and will participate in oral argument. Currently, the Pro Bono Committee of the Appellate Litigation Section of the State Bar of Nevada (Pro Bono Committee), in conjunction with the Legal Aid Center of Southern Nevada, has developed a pro bono appellate program to assist the public and this court. This case is hereby referred to the program established by the Pro Bono Committee to evaluate whether appellant can benefit from the program.

Accordingly, we direct the clerk of this court to transmit a copy of this order and the attached case summary to the Legal Aid Center of Southern Nevada for financial eligibility screening. If appellant qualifies and does not object to pro bono counsel, the Legal Aid Center in cooperation with the Pro Bono Committee shall locate a volunteer attorney from the program to represent appellant. Once an attorney is located, the attorney shall file a notice of appearance in this court within 60 days from the date of this order. Supplemental briefing and oral argument will be scheduled thereafter. Alternatively, if appellant is not financially eligible or objects to pro bono representation, or if a volunteer attorney cannot be located, the Legal Aid Center of Southern Nevada shall notify this court in writing within 60 days from the date of this order. In such case, oral argument will not be held, and this case will be decided on the record and the proper person appeal statement.

It is so ORDERED.

*Handwritten Signature*, C.J.

cc: Hon. James Todd Russell, District Judge  
Michael P. Anselmo  
Attorney General/Carson City  
Carson City Clerk