

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ALABAMA
JASPER DIVISION

FILED

04 SEP 27 AM 8:15

U.S. DISTRICT COURT
N.D. OF ALABAMA

DAVID LEE ROBERTS,

Petitioner

vs.

DONAL CAMPBELL, Commissioner,
Alabama Department of Corrections,

Respondent

CASE NO. CV 04-S-2661-J

ENTERED

SEP 27 2004

ORDER

This is a petition for writ of habeas corpus on behalf of David Lee Roberts, who was convicted of capital murder in 1992 in Marion County and sentenced to die in Alabama's electric chair. Petitioner has filed an application to proceed *in forma pauperis* [Doc. 2] and a motion for appointment of counsel. [Doc. 3] After careful review of the application and motion, this court is of the opinion that same are due to be and are hereby GRANTED.

The Clerk is DIRECTED to mail a copy of this Order upon counsel for petitioner and respondent.

DONE this 24th day of September, 2004.



HARWELL O. DAVIS, III
UNITED STATES MAGISTRATE JUDGE