United States District Court Southern District of Texas

ENTERED

March 30, 2017
David J. Bradley, Clerk

IN THE UNITED STATES DISTRICT COURT FOR THE SOUTHERN DISTRICT OF TEXAS HOUSTON DIVISION

JAIME PIERO COLE,	§	
	8	
Petitioner,	§	
	§	
VS.	§	CIVIL NO. H-17-940
	§	
LORIE DAVIS,	§	
Director, Texas Department of	§	
Criminal Justice, Correctional	§	
Institutions Division,	§	
	§	
Respondent.	§	

ORDER

Jaime Piero Cole, an inmate on Texas' death row, has filed a motion for the appointment of counsel. (Document No. 1). Under 18 U.S.C. § 3599(a)(2), "any [capital habeas petitioner] who is or becomes financially unable to obtain adequate representation . . . shall be entitled to the appointment" of counsel. Cole, however, has not yet filed an *in forma pauperis* application indicating his indigence and, therefore, his entitlement to appointed representation.

The court conditionally finds that federal law entitles Cole to the appointment of federal habeas counsel. The court conditionally authorizes Cole to proceed in federal court without the payment of fees. Accordingly, the court **appoints:**

Capital Habeas Unit Federal Community Defender Office for the Eastern District of Pennsylvania,

601 Walnut Street, Suite 545 West Philadelphia, PA. 19106 (215) 928-0520

The appointment of counsel will continue through "every subsequent stage of available judicial proceedings[.]" 18 U.S.C.A. § 3599(e). Cole can fulfill the conditions of this appointment by filing a motion to proceed *in forma pauperis* with an accompanying showing of indigency within

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thirty (30) days of the entry of this Order.

The clerk will deliver a copy of this order to the parties.

SIGNED on ______ March 30 th____, at Houston, Texas.

Lee H. Rosenthal United States District Judge

United States District Court Southern District of Texas

ENTERED

January 02, 2018 David J. Bradley, Clerk

IN THE UNITED STATES DISTRICT COURT FOR THE SOUTHERN DISTRICT OF TEXAS HOUSTON DIVISION

JAIME PIERO COLE,	§	
	§	
Petitioner,	§	
	§	
VS.	§	CIVIL NO. H-17-940
	§	
LORIE DAVIS,	§	
Director, Texas Department of	§	
Criminal Justice, Correctional	§	
Institutions Division,	§	
	§	
Respondent.	§	

ORDER

On March 20, 2017, the Court appointed counsel to represent Texas death row inmate Jaime Piero Cole. (Document No. 2). Cole has filed a motion to proceed *in forma pauperis*. (Docket Entry No. 8). The Court **GRANTS** Cole's motion. Cole will continue to proceed *in forma pauperis* and with appointed counsel throughout the remainder of his federal habeas proceedings.

The clerk will deliver a copy of this order to the parties.

SIGNED on January 2, 2018, at Houston, Texas.

Lee H. Rosenthal

Chief United States District Judge

3/3/23, 10:56 AM 21-70011 Docket

PACER fee: Exempt

General Docket United States Court of Appeals for the Fifth Circuit

Court of Appeals Docket #: 21-70011

Nature of Suit: 3535 Habeas Corpus - Death Penalty

Cole v. Lumpkin

Appeal From: Southern District of Texas, Houston

Fee Status: In Forma Pauperis

Case Type Information:

- 1) Death Penalty w/ Counsel
- 2) State

3)

Originating Court Information:

District: 0541-4 : 4:17-CV-940

Originating Judge: Lee H. Rosenthal, U.S. District Judge

Date Filed: 03/27/2017 Date NOA Filed:

Date Rec'd COA:

12/16/2021

Prior Cases:

12/16/2021

None

Current Cases:

None

Panel Assignment: Not available

Jaime Piero Cole

Petitioner - Appellant

Peter James Walker Direct: 215-928-0520 Email: peter_walker@fd.org

Fax: 215-928-0826

[COR LD NTC Fed Public Defender] Federal Community Defender Office Eastern District of Pennsylvania

Suite 545-W. 601 Walnut Street Curtis Center

Philadelphia, PA 19106-0000

Shawn Nolan Direct: 215-928-0520 Email: shawn_nolan@fd.org Fax: 215-928-0826

[NTC Fed Public Defender]

Federal Community Defender Office Eastern District of Pennsylvania

Suite 545, W. 601 Walnut Street Curtis Center

Philadelphia, PA 19106-0000

V.

Bobby Lumpkin, Director, Texas Department of Criminal Justice, Correctional Institutions Division

Respondent - Appellee

Ali Mustapha Nasser, Assistant Attorney General

Direct: 512-936-1400

Email: ali.nasser@oag.texas.gov [COR LD NTC Government] Office of the Attorney General Criminal Appeals Division P.O. Box 12548

Austin, TX 78711-2548

Cara Hanna, Assistant Attorney General

Direct: 512-936-1400

Email: cara.hanna@oag.texas.gov

Docketed: 12/17/2021

Termed: 08/26/2022