

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

|                                     |   |            |
|-------------------------------------|---|------------|
| JOHN L. LOTTER,                     | ) |            |
|                                     | ) |            |
| Petitioner,                         | ) | 4:04CV3187 |
|                                     | ) |            |
| V.                                  | ) |            |
|                                     | ) |            |
| ROBERT HOUSTON, Warden,             | ) | ORDER      |
| Tecumseh State Correctional Center, | ) |            |
|                                     | ) |            |
| Respondent.                         | ) |            |
| _____                               | ) |            |

IT IS ORDERED that:

1. No later than Monday, January 6, 2014, Rebecca Woodman shall cause affidavits to be filed in support of the Motion for Appointment of Counsel For Representation in Ancillary Proceedings, Including Clemency (filing no. 101). Such affidavits must be executed by a person or persons with personal knowledge setting forth facts establishing (a) that John L. Lotter has consented to the appointment of Rebecca Woodman and Jessica Sutton as his counsel in lieu of Andre Robert Barry and Sean Joseph Brennan and (b) that Andre Robert Barry and Sean Joseph Brennan are no longer available to represent Mr. Lotter.
2. No later than Monday, January 6, 2014, Rebecca Woodman shall cause a brief to be filed setting forth specifically the ancillary proceedings that Mr. Lotter intends to pursue and why such proceedings are covered by 18 U.S.C. § 3599(e).
3. In addition to Ms. Woodman and Ms. Sutton, the Clerk shall provide notice of this Order to Mr. Barry, Mr. Brennan and Mr. Brown. The Clerk shall also mail a copy of this Order to Mr. Lotter.

4. My chambers shall bring this matter to my attention on January 7, 2014.

DATED this 18<sup>th</sup> day of December, 2013.

BY THE COURT:

*Richard G. Kopf*

Senior United States District Judge