

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF WISCONSIN

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UNITED STATES OF AMERICA,

Plaintiff,

v.

TOMMY LOVE,

Defendant.

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ORDER

04-C-0566-C

03-CR-0063-C

Defendant Tommy Love has written to the court to make sure that the court realizes that he has raised a motion under Blakely v. Washington and also to ask that counsel be appointed for him pending the outcome of the decision in Booker.

It is implicit in my order that defendant raised the Blakely issue and that it will part of the decision once the Booker case has been decided by the United States Supreme Court. It is not my intention to appoint counsel for defendant until the Booker case has been decided and I have determined that appointment of counsel would be either necessary or

helpful to defendant in pursuing the sentencing issue he has raised.

ORDER

IT IS ORDERED that defendant Tommy Love's request for the appointment of counsel is DENIED at this time, without prejudice to his making the request again after the Supreme Court has decided Booker.

Entered this 10th day of November, 2004.

BY THE COURT:

BARBARA B. CRABB  
District Judge