

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

ARMANDO P. RODRIGUEZ,

Petitioner,

v.

JUDY SMITH,

Respondent.

ORDER

10-cv-355-bbc

Petitioner Armando Rodriguez has filed a petition for a writ of habeas corpus under 28 U.S.C. § 2254, challenging a conviction from 2008 for third degree sexual assault. In an order dated August 3, 2010, I directed petitioner to file an amended petition in which he explained more fully the claims he was raising and the facts supporting those claims. Instead of attempting to comply with that order, petitioner has filed a “Motion for Extension of Time and Court Interpreter.” Dkt. #8.

I am not persuaded that petitioner needs additional assistance at this time. Although petitioner says that he “need[s] the services of an interpreter” and that he “knows little English,” the motion itself undermines this view. Petitioner’s writing in the motion is clear and easy to understand. Further, petitioner’s task right now is a limited one. In the August

3 order, I set forth the relevant law and asked petitioner to answer a series of specific factual questions about his claims. He does not have to understand or discuss complex legal theories in order to answer these questions; he only has to identify the facts that support the claims he is asserting. Petitioner should make his best effort to explain his claims on his own before declaring with little support that he is unable to do so.

Accordingly, I am denying petitioner's motion for an interpreter. However, I will extend petitioner's deadline to answer the questions in the August 3 order until August 30, 2010. In addition, I am sending petitioner a blank form to prepare his amended petition as he requested.

ORDER

IT IS ORDERED that petitioner Armando Rodriguez's motion for appointment of an interpreter, dkt. #8, is DENIED. Petitioner may have until August 30, 2010 to file an amended petition that answers the questions in this court's order dated August 3, 2010. If

petitioner does not file a response by August 30, the clerk of court is directed to close the case.

Entered this 16th day of August, 2010.

BY THE COURT:
/s/
BARBARA B. CRABB
District Judge