

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

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UNITED STATES OF AMERICA,

Plaintiff,

v.

JOHN E. HENDRIX, III.,

Defendant.  
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ORDER

13-cr-83-bbc

Defendant John E. Hendrix, III, has filed a motion for reconsideration of this court's May 5, 2014 order denying his motion for appointment of counsel, dkt. #70. His motion is GRANTED. Appointment of counsel under the Criminal Justice Act, 18 U.S.C. § 3006A(c) of counsel is appropriate in the ancillary proceedings that appear to be necessary to determine his restitution obligation and any resentencing that may take place.

Although defendant had retained counsel in the criminal prosecution, I am persuaded that he qualifies financially for court-appointed counsel at this time if only because it is likely that any funds defendant has will be subject to the restitution order. If it turns out that I am wrong, defendant can be required at that time to reimburse the government for the costs of his court-appointed counsel.

ORDER

IT IS ORDERED that defendant John E. Hendrix, III's motion for reconsideration of the May 5, 2014 order is GRANTED. The federal defender is directed to appoint counsel to represent defendant at government expense in any ancillary proceedings that may be necessary for the determination of defendant's ability to meet his restitution obligations.

Entered this 17th day of June, 2014.

BY THE COURT:

/s/

BARBARA B. CRABB

District Judge