

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO

IN THE MATTER OF:
OMNIBUS APPOINTMENT OF CJA COUNSEL IN
BORDEN V. U.S., 141 S.Ct. 1817 (2021) CASES

No. 22-MC-00004-23

AMENDED OMNIBUS ORDER APPOINTING COUNSEL

Pursuant to the Administrative Order entered February 9, 2022 and 18 U.S.C. §§ 3006(a)(1) and (c), the Office of the Federal Public Defender for the District of New Mexico (FPD) has identified a group of individuals who may be eligible for relief under *Borden v. United States*, 141 S.Ct. 1817 (2021). This Order pertains to individuals who, based on FPD conflicts or other reasons, will be represented by Criminal Justice Act (CJA) attorneys in pursuing relief under 28 U.S.C. § 2255. The following counsel is appointed in the following cases to represent the Defendant in raising a *Borden* claim under 28 U.S.C. § 2255.

Ann McCullum is appointed to represent:

Anthony Serrano, Case No. 03-CR-1735 WJ
Matthew Thyberg, Case No. 08-CR-2897 RB
Jesus Rodriguez, Case No. 16-CR-1982 JAP
Vernon Lee Baker, Case No. 08-CR-1680 PJK

Lawrence Marcus is appointed to represent:

David Emanuel Henry, Case No. 11-CR-2660 JB
Roman Kirby, Case No. 11-CR-282 JAP
Steven Morales, Case No. 15-CR-1893 MV

Kate Thompson is appointed to represent:

Herbert Issac Perkins, Case No. 07-CR-1010 KWR

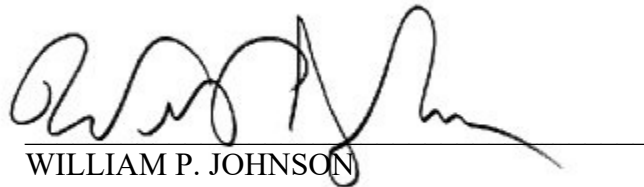
Alicia Lopez is appointed to represent:

Dominic Saavedra, Case No. 11-CR-2014 WJ

After effectuating the appointments, those cases formerly assigned to Senior Judge James A. Parker shall be randomly reassigned as a result of Judge Parker's retirement. Criminal Defense counsel and the Office of the United States Attorney shall meet and confer in good faith to determine whether each counseled defendant, listed in this Order or by separate Order of Appointment, is entitled to relief under *Borden*.

IT IS SO ORDERED this 8th day of April, 2022.

FOR THE COURT:

A handwritten signature in black ink, appearing to read 'William P. Johnson', is written over a horizontal line. The signature is fluid and cursive.

WILLIAM P. JOHNSON
CHIEF UNITED STATES DISTRICT JUDGE

Notices

[1:22-mc-00004 Administrative Orders](#)

U.S. District Court

United States District Court - District of New Mexico

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