

IOWA DISTRICT COURT FOR LEE COUNTY

STATE OF IOWA  
Plaintiff / Petitioner,  
vs.

Criminal  Civil

BENJAMIN G TRANE  
Defendant / Respondent.

Case No: 08561 FECR009152

**ORDER OF APPOINTMENT OF COUNSEL**

The Court having received and examined the Defendant's Financial Affidavit and Application of Counsel and having considered not only the Defendant's income, but also the availability of any assets subject to execution and the seriousness of the charge or nature of the case, finds the following:

**1. The Defendant:**

- Is eligible for court-appointed counsel pursuant to Iowa Code section 815.9 because:
  - Defendant's income is **at or below 125%** of the poverty guidelines and Defendant is unable to pay for the cost of an attorney; **OR**
  - Defendant's income is **between 125% and 200%** of the poverty guidelines and not appointing counsel would cause Defendant substantial financial hardship; **OR**
  - Defendant's Income is **over 200%** of the poverty guidelines, Defendant is charged with a felony, and not appointing counsel would cause Defendant substantial financial hardship.
- Is not eligible for court-appointed counsel pursuant to Iowa Code section 815.9.

**2. The counsel** appointed below to represent the Defendant is:

- The local public defender office, nonprofit organization, or attorney designated by the State Public Defender pursuant to Iowa Code section 13B.4(2) to represent indigent persons in this type of case in the county **OR**
- An attorney not designated by the State Public Defender, but:
  - Any local public defender office or other designee of the State Public Defender for this type of case in this county has been contacted and has declined the appointment or withdrawn from the case, or there is no designation for this type of case in this county, **AND** the appointed attorney:
    - Has a current contract with the State Public Defender to represent indigent persons in this type of case and in this county; **OR**
    - Does not have a contract, but all attorneys with a contract to represent indigent persons in this type of case in this county have been contacted and no such attorney is available to take this case; **OR**
    - Does not have such a contract, but the State Public Defender has been consulted and consents to the appointment.

IT IS THEREFORE ORDERED that the Defendant's Application for Appointment of Counsel is

Approved, and **CURTIS DIAL** is appointed to represent the Defendant in this case at State expense and may be contacted at .

Copies to:

- Copy to Defendant
- Copy to Court Appointed Attorney
- Copy to County Attorney




State of Iowa Courts

**Case Number**  
FECR009152  
**Type:**

**Case Title**  
STATE VS TRANE, BENJAMIN  
ORDER APPOINTING

So Ordered



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Michael J. Schilling, District Court Judge,  
Eighth Judicial District of Iowa

Electronically signed on 2017-09-08 15:44:41