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**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF ARIZONA**

Michael Apelt,

Petitioner,

vs.

Charles L. Ryan, et al.,

Respondents.

No. CV-98-0882-PHX-ROS

DEATH PENALTY CASE

**EX PARTE ORDER**


Pending before the Court is former co-counsel Patrick McGillicuddy's sealed motion requesting release of any holdback payments owed to him from previously submitted billings. The District has provided all holdback amounts in payment to McGillicuddy; there are no remaining withheld funds.

Accordingly,

**IT IS HEREBY ORDERED** denying McGillicuddy's sealed motion for release of withheld funds. (Dkt. 232.)

**IT IS FURTHER ORDERED** that the Clerk of the Court docket McGillicuddy's motion and this Order as *ex parte* events, denying sealed status to McGillicuddy's motion for release of withheld funds.

DATED this 10<sup>th</sup> day of June, 2010.

  
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Roslyn O. Silver  
United States District Judge

1 cc: Patrick McGillicuddy  
2 CJA Voucher Review Unit  
3 Capital Case Staff Attorney  
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