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6 **PCC No. 65408 • State Bar No. 018547**
7 **ATTORNEY FOR THE DEFENDANT**

8 **IN THE UNITED STATES DISTRICT COURT**

9 **FOR THE DISTRICT OF ARIZONA**

10 **UNITED STATES OF AMERICA,**

Case No. CR-06-194-TUC-FRZ

11 **Plaintiff,**

12 **vs.**

13 **SIDNEY GARCIA, JR.,**

**AMENDED MOTION FOR PAYMENT
OF EXPERT SERVICES NOT TO
EXCEED \$1,600.00**

14 **Defendant.**

15 **COMES NOW** counsel undersigned and hereby respectfully requests an Order
16 **authorizing payment in the above-captioned matter for expert services under Title 18 USC**
17 **§ 4241, for the following reasons:**

18 **Counsel undersigned previously filed a Motion for Payment of Expert Services on**
19 **October 25, 2005 (Under Seal) but mistakenly requested payment under Title 18 USC §**
20 **3002(A), the statute used for motions that are not disclosed to the government.**

21 **In this case, however, the parties were in full agreement that a competency**
22 **examination should be conducted and the report was fully disclosed to the government.**
23 **Further, the government has already advised that the Department of Justice would indeed**
24 **pay the cost of defendant's expert (see attached Order).**

25 **WHEREFORE, counsel undersigned respectfully requests that an Order be issued**
reflecting that payment is to made under Title 18 USC § 4241, in an amount not to exceed
\$1,600.00 at a rate of \$180.00 per hour. Defendant's expert is Jim Sullivan, PhD, 2200

1 **East River Road, Suite 121, Tucson, Arizona 85718. Dr. Sullivan has not yet been paid for**
2 **services rendered in this matter.**
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5 **RESPECTFULLY SUBMITTED this 22nd day of October, 2007.**

6 **LAW OFFICES OF KAREN L. OTTENSTEIN**

7 *s/ Karen L. Ottenstein*

8

By: Karen L. Ottenstein
9 **Attorney for Sidney Garcia, Jr.**

10 **Copy of the foregoing electronically or otherwise delivered this 22nd day of October, 2007, to:**

11 **Jennifer Maldonado, AUSA**
12 **Michelle Willems, DOJ**
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