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UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF CALIFORNIA

TOMMY FUENTEZ,	)	Case No. 1:02-cv-05948 GSA HC
Petitioner,	)	
v.	)	ORDER DIRECTING PAYMENT OF
	)	TRANSCRIPT BY <u>UNITED STATES</u>
FRED BROWN, Warden,	)	<u>MARSHAL</u>
Respondent.	)	

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This matter came before the Court by evidentiary hearing previously ordered on remand from the Ninth Circuit November 28, 2007, on behalf of Petitioner Tommy Fuentez (“Fuentez”). The evidentiary hearing was conducted May 18, May 19 and May 21, 2010. Fuentez was represented at the hearing by his appointed counsel of record, Barry Morris and Respondent Fred Brown (“the Warden”) was represented by Deputy Attorney General Melissa Lipon. The evidentiary hearing was electronically recorded and transcribed by Pat Petrilla of Petrilla Reporting and Transcription, 5002 - 61<sup>st</sup> Street, Sacramento, California, 95820-5706.

The Court authorizes the court transcriber to provide the original transcript of the evidentiary hearing to counsel for Fuentez. Fuentez has been determined to be indigent and has been represented by an attorney appointed pursuant to Rule 8( c) of the Rules Governing Section 2254 Cases, since January 8, 2008.

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The United States Marshal is directed to pay the costs for the transcriber's fees and original and one copy of the transcript pursuant to 28 U.S.C. § 1825(b) upon receipt of the bill.

IT IS SO ORDERED.

**Dated: June 14, 2010**

**/s/ Gary S. Austin**  
UNITED STATES MAGISTRATE JUDGE