UNITED STATES DISTRICT COURT

FOR THE EASTERN DISTRICT OF CALIFORNIA

JOHN MICHAEL BEAMES, Petitioner, v. RON DAVIS, Warden of San Quentin State Prison, Respondent.	No. 1:10-cv-01429-DAD-SAB **DEATH PENALTY CASE** ORDER DIRECTING PAYMENT OF FACT WITNESS FEES AND TRAVEL EXPENSES BY UNITED STATES MARSHAL (Doc. No. 203)

Before the court is the certificate of appointed counsel for petitioner, assistant federal defender Harry Simon, for the payment of witness fees pursuant to 28 U.S.C. § 1825(b)(1).

The evidentiary hearing on claim 11 was held February 1 through February 3, 2016, in Department 9 before the undersigned. Petitioner, with the court's approval, subpoenaed two non-expert fact witnesses who appeared and testified at the hearing on February 3, 2016: Charles Rothbaum and Clifford Webb.

The United States Marshal is DIRECTED to pay fees and expenses under 28 U.S.C. § 1825(b)(1) for the appearances of Mr. Rothbaum and Mr. Webb at the evidentiary hearing.

IT IS SO ORDERED.

Dated: **March 1, 2016**

UNITED STATES MAGISTRATE JUDGE