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IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA

JERRY GRANT FRYE,

Petitioner,

vs.

ROBERT L. AYERS, Jr.,  
Warden of San Quentin  
State Prison,

Respondent.

No. CIV S-99-0628 LKK KJM

DEATH PENALTY CASE

ORDER

Respondent moves for reimbursement of expenses for cancellation of the deposition in lieu of live testimony of respondent's expert witness Dr. Reese Jones. Respondent has not provided the court with the legal basis for the imposition of sanctions in this situation and has not supported his request with any showing of the expenses actually incurred. Accordingly, and good cause appearing, IT IS HEREBY ORDERED that respondent's February 2009 Motion for Reimbursement of Expenses is denied.

DATED: April 8, 2009.

  
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U.S. MAGISTRATE JUDGE

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