

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

BENNY HUBBARD #12635,

Petitioner,

vs.

Case No. 07-CV-12635
HON. GEORGE CARAM STEEH

PATRICIA CARUSO,

Respondent.

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ORDER DENYING PETITIONER'S MOTION FOR SANCTIONS (# 19)

On July 22, 2009, a hearing was held on petitioner's motion for sanctions premised on respondent's failure to comply with March 10, 2008 and February 19, 2009 Orders requiring respondent to produce all medical, psychological, psychiatric, therapeutic, and prescription records from the Forensic Center, G. Robert Cotton Correctional Facility and Chippewa Correctional Facility from March 24, 2004 until January 24, 2005. Counsel for respondent appeared at the hearing with approximately 900 pages of documents representing the subject records. Counsel agreed to electronically file these records with the court, and to mail a copy of the records to petitioner Hubbard on July 23, 2009. For the reasons stated on the record, the court finds that the administrative delays in acquiring the documents does not constitute sanctionable conduct. Accordingly,

Petitioner's motion for sanctions is hereby DENIED.

SO ORDERED.

Dated: July 23, 2009

s/George Caram Steeh

GEORGE CARAM STEEH
UNITED STATES DISTRICT JUDGE

CERTIFICATE OF SERVICE

Copies of this Order were served upon attorneys of record on July 23, 2009, by electronic and/or ordinary mail.

s/Josephine Chaffee
Deputy Clerk