

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION**

JAMES T. CONWAY, III,

Petitioner,

v.

MARC C. HOUK, Warden,

Case No. 2:07-cv-947

District Judge Algenon L. Marbley

Magistrate Judge Kimberly A. Jolson

Respondent.

ORDER ALLOWING BUDGET TO BE FILED UNDER SEAL

This capital habeas corpus case is before the Court on Petitioner's Unopposed Motion to File Proposed Budget Under Seal. (ECF No.172.)

Petitioner is indigent, and states that he has prepared a proposed budget, in consultation with Sixth Circuit CJA Budgeting Attorney Robert Ranz, for state court litigation he is conducting. Petitioner also states that opposing counsel have no objection to this motion.

The Court agrees that budget and fee matters are typically handled *ex parte* and under seal in order to protect an indigent prisoner's rights to equal protection, due process, and the right to counsel. Accordingly, Petitioner's Motion (ECF No. 172) is **GRANTED**. The Clerk is **DIRECTED** to **PERMIT** Petitioner to file his proposed budget *ex parte* and under seal.

IT IS SO ORDERED.

Date: July 19, 2017

/s/ Kimberly A. Jolson

KIMBERLY A. JOLSON

UNITED STATES MAGISTRATE JUDGE