Gapen v. Bobby Doc. 26

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION AT DAYTON

LARRY GAPEN,

Petitioner, : Case No. 3:08-cv-280

- vs - District Judge Walter Herbert Rice
Magistrate Judge Michael R. Merz

DAVID BOBBY, Warden,

Respondent. :

ORDER

On April 16, 2009, the parties agreed, and this Court ordered, that on May 12, 2009, the parties would be permitted to videotape and photograph the physical evidence in this Court's possession in this case. (Doc. No. 25.) Over the course of two hours on May 12, 2009, each item of evidence was identified and displayed by Court personnel. Both parties were given an opportunity to photograph each item. Gapen's attorneys, Sharon Hicks and Allen Bohnert, had arranged for one of their investigators to be present to videotape the entire process.

It is ORDERED that a copy of the videotape, and electronic copies of each parties' photographs be provided to the Court without delay.

May 12, 2009.

s/ **Michael R. Merz**
United States Magistrate Judge

J:\Death Penalty\Gapen v. Bobby\Order for Copies of Video and Photographs (JKG).wpd

Dockets.Justia.com