Mamou v. Stephens Doc. 29

IN THE UNITED STATES DISTRICT COURT FOR THE SOUTHERN DISTRICT OF TEXAS HOUSTON DIVISION

CHARLES MAMOU, JR.,	§	
	§	
Petitioner,	§	
	§	
VS.	§	CIVIL NO. H-14-403
	§	
WILLIAM STEPHENS,	§	
Director, Texas Department of	§	
Criminal Justice, Correctional	§	
Institutions Division,	§	
	§	
Respondent.	§	

ORDER

Charles Mamou, Jr., a Texas death-row inmate, seeks federal habeas corpus relief. Mamou filed an Application for Authorization of Fund for Expert and Investigative Assistance asking for \$29,020 to retain the services of an investigator, a ballistics and firearms expert, a mitigation investigator, a future-dangerousness expert, and a legal expert. On August 28, 2014, the court found that Mamou had not shown a substantial need for the requested funds. (Docket Entry No. 21). Federal law authorizes funds for investigative or expert services only if they "are reasonably necessary for the representation of the defendant[.]" 18 U.S.C.A. § 3599(f). This court denied Mamou's funding request because: (1) he provided speculative or cursory statements about the reason for any proposed investigation; (2) he proposed investigating some procedurally deficient claim; and (3) he wanted to expand the record beyond the limits of federal habeas practice.

Mamou has moved for reconsideration of the denial of funding. (Docket Entry No. 22). Mamou disputes this court's recitation of facts and provides some greater detail about the claims he intends to raise. His motion for reconsideration, however, still suffers from the same procedural and

substantive defects that this court discussed extensively in denying his original funding request. The motion for reconsideration is therefore denied.

SIGNED on January 9, 2015, at Houston, Texas.

Lee H. Rosenthal

United States District Judge