

**IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF MISSOURI
WESTERN DIVISION**

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	
)	Case No. 08-00026-03/05-CR-W-FJG
vs.)	
)	
DELMON L. JOHNSON,)	
)	
Defendant.)	

MOTION FOR ORDER TO APPROVE LITIGATION COSTS

COMES NOW, Darren Fulcher, appointed counsel for defendant Delmon Johnson and moves this Court for an Order approving litigation costs pursuant to the Criminal Justice Act. Undersigned counsel states the following in support.

SUGGESTIONS IN SUPPORT

1. A twenty-four count indicted was returned on February 6, 2008 against Delmon Johnson. The charges involve allegations of the conspiracy to distribute controlled substances and faces up to twenty years in prison.

2. On September 10, 2009, the Court ruled that Delmon Johnson was entitled to counsel pursuant to the Criminal Justice Act (CJA). The Criminal Justice Act also allows for the payment of costs related to reproduction of documents.

3. The United States Attorneys Office made available to the defendant discovery on September 23, 2009. The discovery is available through Department of Justice after imaging, bates stamping, formatting and reproduction for review by defense counsel.

4. The cost for the work by the U.S. Department of Justice is \$95. (See, Attachment) This represents the least expensive way to receive the documents in a format that could be reviewed by counsel.

5. Counsel can not adequately represent his client without these documents.

6. Counsel will advise the Court now that additional requests will be made for reproduction services should the government make additional discovery available to the defense.

WHEREFORE, undersigned counsel moves the Court for an Order directing the Clerk of the Court to make payment directly to U.S. Department of Justice for \$95.00 or for whatever other relief this Court deems just and proper.

Respectfully Submitted,

Fulcher & Brooks, L.L.C.

/s/Darren E Fulcher

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CERTIFICATE OF SERVICE

The undersigned hereby certifies that a copy of the foregoing was delivered on October 6, 2009, to the CM-ECF system of the United States District Court for the Western District of Missouri for electronic delivery to all counsels of record.

/s/ Darren E. Fulcher

Darren E. Fulcher