

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI
WESTERN DIVISION

JEFFREY HAVARD

VS.

CIVIL ACTION NO. 5:08cv275-KS

CHRISTOPHER EPPS, ET AL

ORDER

This cause is before the Court on Motion for Expert Assistance [42] filed by Jeffrey Havard by and through his counsel pursuant to 18 U.S.C. § 3599, requesting this Court to authorize payment of reasonable and necessary expert services. The Court considering the motion and other matters pending, does hereby find as follows:

That on May 10, 2010, this Court entered an Order [39] granting Movant leave to conduct limited discovery and to depose Dr. Stephen Hayne. Dr. Hayne was a testifying pathologist at the trial of this case in state court. The Movant has requested to employ expert assistance in preparing for the deposition of Dr. Hayne and in evaluating same. The victim in the case before this Court is a six (6) month old minor child named Chloe Britt. At issue was whether or not Chloe Britt was sexually assaulted and the sexual assault is what raises the crime from murder to capital murder. The Movant has alleged in the motion that Dr. James Lauridson, a forensic pathologist from Montgomery, Alabama, is familiar with the case and has been involved in it in the state court. Movant requests to employ Dr. Lauridson to review the deposition of Dr. Hayne and submit any necessary supplemental reports or affidavits.

This Court finds that the request, in view of the circumstances in this case, is reasonable

and that the Movant should be granted the authority to expend up to \$3,000.00 to pay Dr. Lauridson's fee at the rate of \$300.00 per hour, for the purpose of assisting with attorney preparation and in review of the deposition of Dr. Hayne, etc.

Once Dr. Lauridson's completes his report the attorneys for Movant shall file a copy of the report with the Court, along with an itemized statement for Dr. Lauridson's services, and the Court will consider entry of the final order authorizing his payment at that time.

SO ORDERED this, the 6th day of July, 2010.

s/Keith Starrett
UNITED STATES DISTRICT JUDGE