

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF KENTUCKY
AT PADUCAH
(Filed Electronically)**

**DOCKET NO. 5:06CR-19-R
UNITED STATES OF AMERICA,**

PLAINTIFF,

vs.

STEVEN GREEN,

DEFENDANT.

**MOTION TO AUTHORIZE
INTERIM PAYMENTS TO COUNSEL AND MEMORANDUM IN SUPPORT**

Comes defendant, Steven Green, by appointed counsel, and requests leave to submit interim vouchers. In support of this motion, defendant shows as follows:

1. Defendant Steven Green has been named in an indictment alleging a capital offense.
2. Defendant is indigent.
3. Following defendant's indictment for a capital crime, this Court, pursuant to 18 U.S.C. § 3005, appointed counsel "learned in the law applicable to capital cases." Defendant's current motion seeks leave to submit interim vouchers.
4. Defendant relies upon the attached memorandum in support.

A. Interim Payments

Interim payments are favored in lengthy, complex cases, particularly in capital cases. *See Guide to Judiciary Policies and Procedures - Appointment of Counsel in Criminal Cases*, Ch. VI at ¶ 6.02(C) (Rev. 5/9/97) (“It is urged that the court permit interim payment of compensation in capital cases.”). Aside from the benefit of permitting appointed counsel to meet ongoing expenses during months or year long litigation, interim vouchers provide a mechanism for the Court to monitor both the performance of and expenditures by counsel. *See Guide to Judiciary Policies and Procedures - Appointment of Counsel in Criminal Cases*, Ch. II at ¶ 2.30(B) (Rev. 4/90) (The interim payment option is “designed to strike a balance between the interest in relieving court-appointed attorneys of financial hardships in extended and complex cases, and the practical application of the statutorily imposed responsibility of the chief judge of the circuit to provide a meaningful review of claims for excess compensation.”). It is for these reasons that the Guidelines of the Administrative Office permit interim billing. The procedures for effecting interim payments to counsel appointed under the Criminal Justice Act, 18 U.S.C. § 3006A are set forth in Appendix E to the *Guide to Judiciary Policies and Procedures - Appointment of Counsel in Criminal Cases*.

WHEREFORE, undersigned counsel requests that interim payments be permitted.

s/ Patrick J. Bouldin
Counsel for Steven Green.

s/ Darren Wolff
Attorney at Law
2615 Taylorsville Road
Louisville, KY 40205
(502) 451-3911

Counsel for Steven Green.

CERTIFICATE

I hereby certify that on August 7, 2007, I electronically filed the foregoing with the clerk of the court by using the CM/ECF system, which will send a notice of electronic filing to the following: Marisa Ford, Assistant United States Attorney.

s/ Patrick J. Bouldin

s/ Darren Wolff