

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION

UNITED STATES OF AMERICA §
 §
 §
v. § C.R. ACTION NO. 4:09-335
 §
JAMES M. DAVIS, §
 §

ORDER

IT IS HEREBY ORDERED, with respect to the January 22, 2013 sentencing of the defendant James M. Davis, that:

INTRODUCTION

1. Pursuant to the Justice for All Act of 2004, crime victims have the right to be “reasonably heard” at any public proceeding in the district court involving sentencing. 18 U.S.C. § 3771(a)(4). In this case, the Court finds that it would be impracticable to accord all of the victims the right to be heard at sentencing, and therefore the Court will follow the procedures set forth herein to give effect to the victims’ rights. *See id.* § 3771(d)(2).

WRITTEN STATEMENTS

2. Victims who wish to be heard only in writing may mail a written statement to the Court, at the following address:

The Honorable David Hittner
United States District Judge
Southern District of Texas
515 Rusk Street
Houston, TX 77002
ATTN: JAMES M. DAVIS Sentencing

3. To be considered by the Court, a victim's written statement must be received by January 14, 2013.

4. All written statements received by the Court will be provided to the government and to the defense, and will be made part of the public record. Prior to making such disclosures, the Court may redact the victims' contact information.

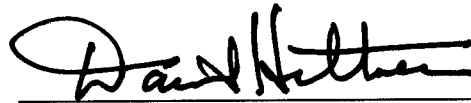
VERBAL STATEMENTS

5. Victims who wish to speak at the sentencing (either in addition to or in lieu of a written statement) should contact Ellen Alexander with the United States Clerk's Office for the Southern District of Texas at (713) 250-5511 by January 14, 2013. Due to voicemail space limitations, victims who reach Ellen Alexander's voicemail should simply (a) provide their names and phone numbers and (b) indicate that they wish to speak at sentencing.

6. Due to the number of victims in this case, the Court cannot guarantee that every victim who wishes to speak at sentencing will be provided an opportunity to do so. Depending on the number of victims who wish to speak, the Court might limit both the number of speakers as well as the time each victim is allotted to speak.

7. Those victims who will be permitted to speak will be notified by January 11, 2013. All verbal statements must be made in open court and will be made part of the public record.

Signed this the 26 day of November, 2012

A handwritten signature in black ink, appearing to read "David Hittner", written over a horizontal line.

DAVID HITTNER

United States District Judge