

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO

UNITED STATES OF AMERICA,

Plaintiff,

vs.

Case No. 06-538 JH

DANUEL QUAINANCE and
MARY HELEN QUAINANCE,

Defendants.

ORDER GRANTING DEFENDANTS' MOTIONS
FILED PURSUANT TO 18 U.S.C. § 4285

THIS MATTER is before the Court on Defendants DANUEL QUAINANCE and MARY HELEN QUAINANCE'S *Motion for Transportation and Subsistence Funds Pursuant to 18 U.S.C. § 4285 (Doc. 320 and 321)*, filed on March 28, 2008 and March 30, 2008, respectively. The Court, having reviewed Defendants' motions, now finds the same to be well-taken and should be GRANTED.

NOW, THEREFORE, IT IS HEREBY ORDERED that the U.S. Marshal is directed to arrange for Defendants' non-custodial one-way transportation and furnish the one-way fare for such transportation from their home in Pima, Arizona, for purposes of attending the hearing scheduled for April 9, 2008 to begin at 9:40 a.m. in Las Cruces, New Mexico. Reimbursement shall only be for the lesser amount of (1) a one-way bus fare or (2) one-way mileage.

IT IS FURTHER ORDERED that the U.S. Marshal shall reimburse Defendants for subsistence expenses not to exceed the per diem allowance for travel under Title 5 U.S.C. § 5702(a).

If Defendants decide to travel by bus, they will each be reimbursed for the one-way fare; however, if they decide to travel by private vehicle, they will only be reimbursed for mileage one-way for one vehicle.

Defendants, upon submission of proper lodging receipt, shall be reimbursed for one night's lodging for one room and each shall receive the per diem amount for meals for the two days of travel.

The Clerk is directed to deliver two (2) certified copies of this Order to the United States Marshal.



LOURDES A. MARTÍNEZ
UNITED STATES MAGISTRATE JUDGE

SUBMITTED BY: (Prior to modification by the Court)

Jerry Daniel Herrera

Attorney for *Daniel Quaintance*

John F. Robbenharr

Attorney for *Mary Helen Quaintance*