

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA
Case No. 17-62428-CIV-WILLIAMS**

ROGERIO CHAVES SCOTTON,

Petitioner,

vs.

UNITED STATES OF AMERICA,

Respondent.

ORDER

THIS MATTER is before the Court on Petitioner’s Motion for Extension and Motion for Criminal Justice Act (“CJA”) Vouchers (DE 88). Petitioner seeks an extension of time to file objections to the Report and Recommendation by Magistrate Judge Lisette M. Reid (DE 86). In the Report, Magistrate Judge Reid recommends Petitioner’s Motion to Vacate be denied. Petitioner seeks to review the CJA vouchers from his underlying criminal case in order to respond to the Report.

Pursuant to 18 U.S.C. § 3006A, “the amounts paid under this subsection for services in any case shall be made available to the public by the court upon the court’s approval of the payment,” unless the Court finds redaction necessary to protect a defendant’s interests. 18 U.S.C. § 3006A (d)(4)(A). If a party seeks public disclosure of CJA vouchers prior to the approval of payments, “[t]he court shall provide reasonable notice of disclosure to the counsel of the defendant . . . in order to allow the counsel to request redaction based on the considerations set forth in subparagraph (D).” 18 U.S.C. § 3006A (d)(4)(E). The considerations for redaction are:

- (i) to protect any person's 5th amendment right against self-incrimination;
- (ii) to protect the defendant's 6th amendment rights to effective assistance of counsel;
- (iii) the defendant's attorney-client privilege;
- (iv) the work product privilege of the defendant's counsel;
- (v) the safety of any person; and
- (vi) any other interest that justice may require, except that the amount of the fees shall not be considered a reason justifying any limited disclosure under section 3006A(d)(4) of title 18, United States Code.

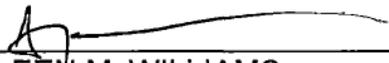
18 U.S.C. § 3006A (d)(4)(D).

Here, Petitioner seeks the CJA vouchers from his underlying criminal case (Case No. 12-CR-60049). Because Petitioner's underlying criminal trial and appeal are complete (Crim. DE 413; 616; 633),¹ and finding no other cause to limit disclosure based on the enumerated considerations, the Court grants Petitioner's request.

Accordingly, it is **ORDERED AND ADJUDGED** as follows:

1. Petitioner's Motion for CJA Vouchers (DE 88) is **GRANTED**. The Clerk is directed to file the attorney CJA Vouchers from Petitioner's underlying criminal case (12-CR-60049) to the docket in this matter.
2. Petitioner's Motion for Extension (DE 88) is **GRANTED**. Petitioner shall file objections to the Report no later than **March 1, 2021**.

DONE AND ORDERED in chambers in Miami, Florida, this 18th day of February, 2021.



KATHLEEN M. WILLIAMS
UNITED STATES DISTRICT JUDGE

¹ Petitioner's writ of certiorari was denied by the United States Supreme Court on December 13, 2016.