

UNITED STATES COURT OF APPEALS

FOR THE FIFTH CIRCUIT

ORDER

General Docket No. 2018 –3



A True Copy
Certified order issued Aug 14, 2018

Lyle W. Cayce
Clerk, U.S. Court of Appeals, Fifth Circuit

In Re:

Application for Exemption from the Electronic Public Access Fees by
the Death Penalty Information Center (DPIC)

This matter is before the Court upon the application and request by Robert B. Dunham, (Account # 4616580) on behalf of the DPIC for exemption from the fees imposed by the Electronic Public Access fee schedule adopted by the Judicial Conference of the United States Courts.

The Court finds that The DPIC is a non-profit educational organization and falls within the class of users listed in the fee schedule as being eligible for a fee exemption. Additionally, DPIC has demonstrated that an exemption is necessary in order to avoid unreasonable burdens and to promote public access to information. Accordingly, the DPIC shall be exempt from the payment of fees for access via PACER to the electronic case files of maintained in this court, to the extent such use is incurred in the course of researching capital-habeas cases (code 535). The DPIC shall not be exempt from the payment of fees incurred in connection with other uses of the PACER system in this court. Additionally, the following limitations apply:

1. this fee exemption applies only to DPIC and is valid only for the purposes stated above;
2. this fee exemption applies only to the electronic case files of this court that are available through the PACER system;
3. by accepting this exemption, DPIC agrees not to sell for profit any data obtained as a result of receiving this exemption;
4. The DPIC is prohibited from transferring any data obtained as a result of receiving this exemption, including redistribution via Internet based databases;
5. this exemption is valid until 12 months from the date of this Order.

This exemption may be revoked at the discretion of the Court at any time. A copy of this Order shall be sent to the PACER Service Center.

Dated this 14th day of August, 2018.

/s/ Lyle W. Cayce
LYLE W. CAYCE
CLERK OF COURT
ENTERED AT THE DIRECTION OF
THE COURT