

**STATE OF MICHIGAN  
IN THE 18<sup>TH</sup> JUDICIAL CIRCUIT COURT**

PEOPLE OF THE STATE OF MICHIGAN,  
Plaintiff,

v  
TROY L. DAVIS,  
Defendant.

SC: 135048  
COA: 277870  
LC: 06-10480-FY

---

DEPT. OF CRIMINAL DEFENSE  
BY: Kenneth M Malkin P36574  
1230 Washington Avenue, Ste. 630  
Bay City, MI 48708-5734  
(989) 895-4170 (989) 895-4174 FAX

---

BAY COUNTY PROSECUTORS OFFICE  
1230 Washington Avenue, Ste. 768  
Bay City, MI 48708-5737  
(989) 895-4185

---

**ORDER**

At a session of said Court held in the Courthouse in the City  
of Bay City, County of Bay, State of Michigan on  
February \_\_\_\_, 2008

PRESENT: HONORABLE WILLIAM J. CAPRATHE  
Circuit Court Judge

The Court makes the following findings of fact:

That the reasonable and customary hourly fees paid to experts of the type sought by the Defendant is a minimum of \$150.00 per hour.

That the aforementioned fee is the same fee paid by the prosecution in prior cases and Dr. Charles Clark charges the same fee for the prosecution and the defense.

That a maximum fee of \$60.00 per hour effectively precludes the Defendant from access to an expert.

IT IS THEREFORE ORDERED that the Defendant may hire at public expense Dr. Charles Clark at the rate of \$175.00 per hour.

Approved as to form:

Date: \_\_\_\_\_  
Nancy E. Borushko P62575  
Chief Prosecuting Attorney

---

William J. Caprathe  
Circuit Court Judge