

UNITED STATES DISTRICT COURT
DISTRICT OF SOUTH DAKOTA
WESTERN DIVISION

<p>UNITED STATES OF AMERICA,</p> <p style="text-align: center;">Plaintiff,</p> <p style="text-align: center;">vs.</p> <p>STANLEY PATRICK WEBER,</p> <p style="text-align: center;">Defendant.</p>	<p style="text-align: center;">CR. 17-50033-JLV</p> <p style="text-align: center;">ORDER SETTING TRIAL DATE AND RELATED MATTERS</p>
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READ THIS ORDER – DEADLINES HAVE CHANGED

The government moves for a continuance and requests a date certain for trial. Defendant has no objection. The court communicated with the parties to establish a trial date. The court finds that the ends of justice served by continuing this trial outweigh the best interests of the public and the defendant in a speedy trial. Therefore, it is

ORDERED that the government's motion is granted and the following deadlines shall apply:

Applications for Writ of Habeas Corpus Ad Testificandum	August 30, 2019
Other motions/continuance motions	August 30, 2019
Responses to motions due	Within seven days after motion is filed
Produce all records, recordings and reports associated with Fed. R. Evid. 412, 413 and 415 and experts under Rule 702	August 30, 2019
Subpoenas for trial	September 6, 2019
Plea agreement or petition to plead and statement of factual basis	September 6, 2019

Notify court of status of case and file a joint notice of speedy trial calculation	September 6, 2019
Motions <i>in limine</i>	September 6, 2019
Proposed jury instructions due	September 6, 2019
File <u>Daubert</u> ¹ challenges to experts	September 6, 2019
Response to motions <i>in limine</i> and proposed jury instructions due	September 11, 2019
<u>Daubert</u> hearing, if needed	Monday, September 16, 2019 at 9 a.m.
Pretrial conference	Monday, September 16, 2019 at 9 a.m.
Jury Trial	Monday, September 23, 2019 at 9 a.m.

IT IS FURTHER ORDERED that no continuances will be granted without a showing of exceptional circumstances.

The parties are instructed that:

1. Proposed jury instructions with citations to authority shall be filed by **September 6, 2019**. Submit only substantive instructions pertaining to the law of the case; do not submit standard or boilerplate instructions. Proposed instructions shall be numbered and shall contain a table of contents.
2. The court will provide to the parties by e-mail the proposed preliminary jury instructions prior to the pretrial conference. Any objections to the proposed preliminary instructions shall be raised during the pretrial conference.
3. Counsel shall provide to the Clerk of Court but not file exhibit and witness lists by **noon the Friday prior to the pretrial conference**. These lists will not be disclosed to the opposing party.

¹Daubert v. Merrell Dow Pharmaceuticals, Inc., 509 U.S. 579, 592 (1993).

4. By **noon the Friday prior to the pretrial conference** counsel shall provide to the court copies of exhibits to be introduced at trial.
5. Counsel shall contact the Clerk of Court five (5) business days prior to trial for instruction on the use of courtroom technology, if needed.
6. Counsel may make a motion requesting a copy of the jury list five (5) days in advance of an upcoming trial.

The period of delay resulting from this continuance is excluded in computing the time within which the trial of the case must commence. 18 U.S.C. § 3161(h)(7)(A).

Defense counsel must file with the clerk within fourteen (14) days of this order a written consent to the continuance and waiver of the Speedy Trial Act signed by the defendant.

All other provisions of the court's scheduling and case management order (Docket 14) remain in effect unless specifically changed.

Dated February 7, 2019.

BY THE COURT:

/s/ Jeffrey L. Viken

JEFFREY L. VIKEN
CHIEF JUDGE