

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WISCONSIN

UNITED STATES OF AMERICA,

Plaintiff,

v.

SEAN D. WHITE and
TOMSHALYNN HARDIN,

Defendants.

PRETRIAL MOTION
HEARING ORDER

06-CR-208-S

On January 17, 2007, this court held the pretrial motion hearing. Defendant Sean White was present with his attorney, Rob Ruth. Defendant Tomshalynn Hardin was present with her attorney, William Jones. The government was represented by Assistant United States Attorney Meredith Duchemin.

Prior to the hearing, both defendants filed pretrial motions and discovery demands. After taking a proffer from the government and discussing the motions with both sides, I granted those docketed as 18 and 22, denied 16, 17, 19, 20, 21, and 23, set 24 for briefing, and took no action on 28, 29, and 30 (White's motion to suppress to which the government has acquiesced). If the severance motion needs briefing, Hardin shall file and serve the first brief by January 24, 2007, with the government response due January 31, 2007, and any reply due February 7, 2007. Same-day service is required.

It's possible that Attorney Jones's concerns about Hardin's competency will moot the severance issue. Dr. Thomas Moran already has met twice with Hardin, but we do not know

whether additional examination is needed. On January 18, 2007, Dr. Moran predicted to this court's probation office that he will provide a written report to Attorney Jones early in the week of January 22. Once Jones receives that report, he is to provide it to the court and the government under seal and we will schedule a telephonic status conference to determine what needs to happen next.

The parties had no other matters to bring to the court's attention. I will provide draft voir dire questions and jury instructions to the parties closer to their submission deadline for the final pretrial conference.

Entered this 18th day of January, 2007.

BY THE COURT:

/s/

STEPHEN L. CROCKER
Magistrate Judge