

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

---

UNITED STATES OF AMERICA,

Plaintiff,

v.

RODNEY ANDREWS,

Defendant.

---

SECOND  
PRETRIAL MOTION  
HEARING ORDER

05-CR-056-C

Prior to the second pretrial motion hearing on September 28, 2005, defendant Rodney Andrews, by counsel, filed a motion for a supplemental competency examination to obtain objective information about Andrews's amnesia. For reasons discussed in more detail at the hearing, I denied the motion and declined to order further examination. The government concedes, *arguendo*, that Andrews actually suffers amnesia regarding the events at issue; given the law of this circuit, it does not appear that anything legally useful would be obtained by attempting to pinpoint more precisely any organic basis for Andrews's amnesia. I also declined to accept pretrial briefing on the due process component of the amnesia issue, but left open the possibility of post-trial briefing.

The parties had no other matters to bring to the court's attention.

Entered this 28<sup>th</sup> day of September, 2005.

BY THE COURT:

/s/

STEPHEN L. CROCKER

Magistrate Judge