

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

UNITED STATES OF AMERICA,

Plaintiff,

v.

PRETRIAL MOTION
HEARING ORDER

STEPHEN B. BINNING and
TIMOTHY A. DOBSON,

05-CR-130-C

Defendants.

On November 22, 2005, this court held the pretrial motion hearing. Defendant Stephen Binning waived his personal presence but was represented by his attorney, Joel Winnig. Defendant Timothy Dobson was present along with his attorney, Jacob Craft. The government was represented by Assistant United States Attorney Paul Connell.

Prior to the hearing both defendants filed a series of discovery motions and demands. Binning also filed a motion for severance. After discussing the motions with all concerned, I granted the motion docketed as 24 and denied 22-23 and 25-30. No action was necessary on the motions and demands docketed as 15, 20 and 21. I set for briefing the severance motion (dkt. 14) and Binning's four discovery motions (dcts. 16-19), with the understanding that the parties will be discussing the discovery requests to determine how much briefing actually is needed. Any brief on any issue by any party is due according to this schedule.

Defendants' briefs in support of a motion: December 6, 2005.

The government (or Dobson's) response: December 13, 2005.

Any reply brief: December 20, 2005.

Same day service is required.

With regard to Binning's undocketed notice under Rule 12.2(b), the court will take no action unless a party requests something in writing. In response to the discovery requests, the government must disclose any expert witnesses not later than January 9, 2006, with reciprocal defense disclosure by January 23, 2006.

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

Entered this 22nd day of November, 2005.

BY THE COURT:

/s/

STEPHEN L. CROCKER

Magistrate Judge