

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

UNITED STATES OF AMERICA,

Plaintiff,

v.

ROBERT C. SEYMOUR,

Defendant.

AMENDED
SCHEDULING ORDER

05-CR-0156-S

On December 5, 2005, this court granted Attorney Heather Harris's motion to withdraw due to a conflict of interest. On December 12, 2005, Attorney Reed Cornia was appointed as successor counsel. Cornia requested a brief extension of the schedule so that he may adequately prepare and effectively represent his client. I granted the request. The existing schedule is stricken and replaced with these dates:

2) Defendant must file and serve any pretrial motions and discovery requests not later than January 3, 2006, at noon. Briefs need not accompany the motions. If defendant wants an evidentiary hearing on a motion, then he must ask for it in the caption of each such motion and must provide a nonconjectural factual basis establishing a prima facie entitlement to the relief requested. *See United States v. Toro*, 359 F.3d 879, 885 (7th Cir. 2004).

3) The pretrial motion hearing and any evidentiary hearing shall be January 6, 2005, at 10:00 a.m. The court will rule on each motion or set it for briefing in consultation with

the parties. Unless the court is taking evidence on a dispositive motion, defendant may waive his presence at the preliminary pretrial conference.

4) Submissions for the final pretrial conference, namely proposed voir dire questions, jury instructions and motions *in limine* must be filed and served not later than February 1, 2006.

5) The final pretrial conference shall be February 3, 2006, at 9:30 a.m. Defendant may waive his presence at the final pretrial conference.

6) The final hearing before the trial judge shall be February 10, 2006, at 3:30 p.m. The defendant and trial counsel must attend this hearing.

7) Jury selection and trial shall begin at 9:00 a.m. on February 13, 2006. The predicted trial length is one day. The parties are jointly responsible for alerting the clerk of court forthwith if a jury need not be called.

Entered this 16th day of December, 2005.

BY THE COURT:

/s/

STEPHEN L. CROCKER

Magistrate Judge