

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

UNITED STATES OF AMERICA,

Plaintiff,

SCHEDULING ORDER

v.

07-049M-X

LARRY ZIMMERMAN,

Defendant.

On May 24, 2007, this court held a telephonic scheduling conference. Defendant Larry Zimmerman did not participate personally, but was represented by his attorney, Corliss Jensen. The government was represented by Assistant United States Attorney Elizabeth Altman.

In this petty offense case, the parties agreed that at this juncture, the only dates needed are as follow:

The government will provide all pretrial discovery not later than May 31, 2007. The government will provide open file discovery in this case (while standing on its rights under the Jencks Act). Pursuant to Rule 12, the government reports that it intends to use all evidence at trial in this case.

Any pretrial motions by defendant Zimmerman must be filed and served not later than June 27, 2007. There is no need to provide legal citations or argument in support of motions; in the event briefing is needed, the court will set it in consultation with the parties at a telephonic status conference. In the event that Zimmerman wants evidence taken on

a motion that he files, he must ask for an evidentiary hearing in the motion caption (for instance "Motion To Suppress Statement and Request for Evidentiary Hearing"). Zimmerman also must make a prima facie showing of entitlement to the relief that he is requesting by way of specific citation to the government's discovery showing a potential suppression issue, or by way of Zimmerman's own sworn affidavit raising such an issue.

The court will hold a telephonic status conference on June 29, 2007 at 10:00 a.m. to discuss pretrial motions and how to deal with them. The government shall arrange the conference call to chambers. The briefing schedule, if necessary, will be set at that telephonic conference.

A bench trial shall be held August 7, 2007 beginning at noon. In the event there are no pretrial motions that require briefing, the parties may ask for an earlier trial date at our June 29 status conference.

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

Entered this 24th day of May, 2007.

BY THE COURT:

/s/

STEPHEN L. CROCKER
Magistrate Judge