

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

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UNITED STATES OF AMERICA,

Plaintiff,

v.

DOLI SYARIEF PULUNGAN,

Defendant.

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ORDER

07-cr-144-bbc

A final pretrial hearing was held in this case on May 1, 2008, before United States District Judge Barbara B. Crabb. The government appeared by Meredith Duchemin, Assistant United States Attorney. Defendant was present in person and by counsel, Christopher Kelly.

Counsel predicted that the case would take 2-3 days to try. Trial days will begin at 9:00 and will run until 5:30, with at least an hour for lunch, a short break in the morning and another in the afternoon.

Counsel agreed that the witnesses should be sequestered. Counsel are either familiar with the court's visual presentation system or will make arrangements with the clerk for some instruction on the system.

Counsel should use the microphones at all times and address the bench with all objections. If counsel need to consult with one another, they should ask for permission to do so. Only the lawyer questioning a particular witness may raise objections to questions put to the witness by the opposing party and argue the objection at any bench conference.

Counsel are to provide the court with copies of documentary evidence before the start of the first day of trial.

Counsel agreed to the voir dire questions in the form distributed to them at the final pretrial conference before the magistrate judge

The government made a Santiago proffer, after which I concluded that its evidence if proven, was sufficient to permit a jury to find that a conspiracy existed, that defendant was part of the conspiracy, as were co-conspirators “Yusef” and “Johan,” and that statements made by any of the co-conspirators are admissible to the extent they were made in furtherance of the conspiracy.

The government renewed the issue of the voir dire question advising the prospective jurors that Indonesia is a democracy allied with the United States. I agreed with the magistrate judge that the question should be asked as the magistrate judge has framed it.

The only motion in limine still in dispute was the government’s motion to preclude defendant from asking any questions or making any comments about the propriety of the classification of the Leupold Mark 4 CQ/T Riflescope as a defense article. The motion is

GRANTED. The government must prove that the scope is such an article but defendant cannot challenge the reasons for the classification.

Entered this 1st day of May, 2008.

BY THE COURT:  
/s/  
BARBARA B. CRABB  
District Judge