

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

UNITED STATES OF AMERICA,

Plaintiff,

v.

ROBERT L. GIPSON,

Defendant.

ORDER

08-cr-37-bbc

At the June 18, 2008 telephonic status conference, the court found defendant competent and entered this schedule:

1) Defendant must file and serve any pretrial motions and discovery requests not later than August 25, 2008. 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).

2) The pretrial motion hearing and any evidentiary hearing shall be August 29, 2008 at 12:30 p.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.

3) 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 September 17, 2008.

4) The final pretrial conference shall be September 19, 2008 at 9:30 a.m. Defendant may waive his presence at the final pretrial conference.

5) The final hearing before the trial judge shall be September 25, 2008 at 3:00 p.m. The defendant and trial counsel must attend this hearing.

6) Jury selection and trial shall begin September 29, 2008 at 9:00 a.m. The predicted trial length is one to two days. The parties are jointly responsible for alerting the clerk of court forthwith if a jury need not be called.

Entered this 18th day of June, 2008.

BY THE COURT:

/s/

STEPHEN L. CROCKER
Magistrate Judge