

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

UNITED STATES OF AMERICA,

Plaintiff,

v.

WILLIAM MERCER,

Defendant.

ORDER

10-po-8-slc

On July 29, 2010, this court held a recorded telephonic status conference. Defendant William Mercer appeared representing himself. The government was represented by Assistant United States Attorney Meredith Duchemin.

The court had received Mr. Mercer's motion to dismiss the disorderly conduct ticket issued by the VA on the ground that the VA had issued a directive to have him charged with anything the staff could think of if Mr. Mercer were to come to the VA or call in. I denied the motion to dismiss, explaining to Mr. Mercer that whatever his complaints about his treatment at the VA, they were not directly related to the charge of disorderly conduct. The court will allow Mr. Mercer to put in any evidence showing that he was intentionally provoked into disorderly conduct, or impeaching the credibility of the VA's witnesses to his alleged disorderly conduct, but the court will not admit into evidence facts relating to Mr. Mercer's more general suspicions of a conspiracy to deny him treatment and to prevent him from interacting with VA staff.

Accordingly, although Mr. Mercer may seek to subpoena any witnesses he believes are relevant to his defense, the court, as is true in every case, will quash subpoenas for witnesses who clearly have no testimony relevant to the issue that actually will be tried in this case.

The parties had no other substantive matters to bring to the court's attention. Trial to the court will be held September 16, 2010 at 1:00 p.m.

Entered this 30th day of July, 2010.

BY THE COURT:

/s/

STEPHEN L. CROCKER
Magistrate Judge