

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

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UNITED STATES OF AMERICA,

Plaintiff,

FOURTH AMENDED  
SCHEDULING ORDER

v.

ALLEN SMITH,

Defendant.

11-cr-104-wmc

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On July 18, 2012, the court held an unrecorded telephonic scheduling conference with the government and defendant Allen Smith's third appointed attorney, Jeffrey Nichols. Due to witness availability and trial preparation issues, we reset the schedule as follows:

The court will hold a telephonic status conference on August 16, 2012 at 10:30 a.m., with the government arranging the conference call to chambers. At that conference, Attorney Nichols should be prepared to report whether he wishes to file any additional pretrial motions and whether he will be seeking an evidentiary hearing on any motion. (Attorney Nichols has adopted the pretrial motions previously filed in this case on behalf of Smith).

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 October 23, 2012.

The final pretrial conference shall be October 25, 2012 at 9:00 a.m. Defendant may waive his presence at the final pretrial conference.

The final hearing before Judge Conley shall be October 30, 2012 at 3:00 p.m. Defendant and trial counsel must attend this hearing.

Jury selection and trial shall begin November 5, 2012 at 9:00 a.m. The predicted trial length is two days. All time from July 12, 2012 (the date the court granted Smith's request to replace his second appointed attorney) through November 5, 2012 shall be excluded from the Speedy Trial Clock to allow defendant's third attorney to investigate this case, consider additional pretrial motions and prepare adequately for trial.

Entered this 18<sup>th</sup> day of July, 2012.

BY THE COURT:

/s/

STEPHEN L. CROCKER  
Magistrate Judge