

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

UNITED STATES OF AMERICA

v.

Case No. 09-00296-03/05-CR-W-FJG

ROBERT E STEWART (03)
STEVE W LARSON (05)

AUSA: Jeffrey Valenti
Defense Atty.: Dft 3:Ron Partee & John Osgood
Dft 5: Alberto Miera, & John Osgood

JUDGE	Robert E. Larsen United States Magistrate Judge	DATE AND TIME	November 18, 2009 3:33-3:41 PM
DEPUTY CLERK	Melanie Beard	TAPE/REPORTER	FTR- M. Beard
INTERPRETER	None	PRETRIAL/PROB:	None

CLERK'S MINUTES

Rule 44 C Hearing

REMARKS: Parties present in person and with counsel. Court reviews history of representation by John Osgood who was appointed on 9/25/09 to represent defendant Stewart, participated in Stewart's detention hearing, and filed a motion to sever on Stewart's behalf. Stewart then retained Ronald Partee, and Mr. Osgood was terminated on 10/6/09. On 11/11/09 Mr. Osgood entered his appearance for defendant Larson. Mr. Osgood stated that when he was appointed to represent Mr. Stewart, he was in a state jury trial and was unable to meet with Mr. Stewart. He spoke with Mr. Stewart for a few minutes in the courtroom during the detention hearing. They did not discuss the case, they only discussed the bond situation. Mr. Osgood also told Mr. Stewart that by looking at the indictment, he believed the counts should be severed and he intended to file a motion to sever. Mr. Osgood did not have any discussions with Mr. Stewart about the facts of the case or any possible defense. Mr. Osgood and Mr. Partee stated that they do not believe there is a conflict of interest. Mr. Stewart and Mr. Larson stated that they had no problem with Mr. Osgood representing Mr. Larson after having briefly represented Mr. Stewart. Judge finds that no conflict of interest exists.