

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

UNITED STATES OF AMERICA,)
)
 Plaintiff,)
)
 v.) Criminal Action No.
) 05-00344-01/02-CR-W-ODS
)
GARY EYE, and)
STEVEN SANDSTROM,)
)
 Defendants.)

ORDER

On April 27, 2006, I entered an order granting defendant Sandstrom's motion to sever counts. The order severed counts one through six, counts seven and eight, and count nine because counts eight and nine did not incorporate or otherwise make reference to counts one through six, and because count nine did not incorporate or otherwise make reference to any other count. No objections were filed.

On May 17, 2006, a superseding indictment was returned. The superseding indictment corrected the problems with the initial indictment. However, there is nothing before the court on the issue of severance.

Because I find it would be an inefficient use of judicial resources to hold three trials rather than one, especially since the grounds for severing the counts no longer exist, it is

ORDERED that if any party wishes to brief the issue of severance of counts, those briefs shall be filed by June 6, 2006. If no briefs are filed, I will sua sponte vacate my order of April 27, 2006 severing counts.

/s/ Robert E. Larsen

ROBERT E. LARSEN
United States Magistrate Judge

Kansas City, Missouri
May 30, 2006