

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

UNITED STATES OF AMERICA,	)	
	)	
Plaintiff,	)	
	)	Criminal Action No.
v.	)	10-00320-18-CR-W-DGK
	)	
MARGOT CHARLENE DAVIDSON,	)	
	)	
Defendant.	)	

**ORDER**

Before the court is the government's motion to sever defendant Margot Davidson. In support of the motion, the government states as follows:

1. Single Defendant Davidson, defendant 18 of 19 defendants charged together in the above styled cause of action, is charged in Count One of the Indictment with participating with at least one other person in a conspiracy to distribute more than 100 kilos of marijuana in violation of Title 21, United States Code, Sections 841(a)(1) and (b)(1)(B) and 846 and in Count Two of the Indictment with participating with at least one other person in a conspiracy to launder money in violation of Title 18, United States Code, Sections 1956(a)(1)(A)(i) and (h).

2. Federal Rules of Criminal Procedure, Rule 14, governs the severance of defendants in a single indictment. The Court is afforded discretion on matters of joinder and severance. Zafiro v. United States, 506 U.S. 534, 541 (1993); United States v. Shivers, 66 F.3d 938, 939 (8th Cir.), cert. denied, 516 U.S. 1016 (1995).

3. Based on a variety of factors, not the least of which is the current personal situation of single Defendant Davidson's appointed counsel [who recently experienced an unexpected death in his family], it is the Government's position that a separate trial of single Defendant Davidson would ". . . provide . . . relief that justice requires." Federal Rules of Criminal Procedure, Rule 14(a).

4. In the event this motion is granted; in light of the pending trial date on October 22, 2012, for the remaining defendants in the above styled cause of action; due to some of the very factors leading to this request for severance, and; the fact the Davidson is not in custody, counsel for Davidson and the Government request single Defendant Davidson's severed case be continued until the April 22, 2013, trial docket. Both counsels recognize and request that the time between the current trial date of October 22, 2012, and the new trial date of April 22, 2013, be exempted for speedy trial purposes.

5. In recognition of judicial economy, counsel for Davidson and the Government have elected to not file separate motions requesting this same relief. Single

Defendant Davidson's counsel joins the Government in these requests.

Since the government's motion to sever was filed, Davidson's counsel orally moved to withdraw, and that request was granted. Davidson's new attorney does not oppose the motion to sever and has filed a motion to continue in order to have time to review the discovery and prepare this case for trial.

Because this case is already nearly two years old and co-defendants are incarcerated while awaiting trial, I find that justice would be better served by severing defendant Davidson and continuing her trial so that her attorney can review the discovery, conduct independent investigation, and prepare for trial without causing additional delay to co-defendants who are ready to proceed to trial next week. Therefore, it is

ORDERED that the government's motion to sever defendant Margot Davidson is granted. The trial of the remaining defendants will proceed as scheduled; however, the trial of Ms. Davidson will be continued.

/s/ Robert E. Larsen  
ROBERT E. LARSEN  
United States Magistrate Judge

Kansas City, Missouri  
October 16, 2012