

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

UNITED STATES OF AMERICA

v.

Case No. 10-00320-08-CR-W-DGK

JOHN GASCA, JR.

AUSA: Bruce Rhoades  
Defense Atty.: John Osgood

JUDGE	<b>Robert E. Larsen</b> United States Magistrate Judge	DATE AND TIME	<b>November 30,</b> <b>2010</b> 2:00 to 2:50 p.m.
DEPUTY CLERK	Bonnie J. Rowland	TAPE/REPORTER	FTR / B. Rowland
INTERPRETER	None	PRETRIAL/PROB:	Penney Hodges

**CLERK'S MINUTES**

**DETENTION/ARRAIGNMENT**

DETENTION HEARING: Parties appear in person and with counsel ready to proceed on government's motion for pretrial detention.

- ( x ) Parties stipulate to factual contents of Pretrial Services Report as being the direct testimony of Pretrial Services Officer Penney Hodges.
- ( x ) Government presents evidence and calls witness(es) DEA Special Agent Joseph Geraci. Direct, cross, voir dire examinations conducted. Court's exhibit #1 admitted without objection and is placed under seal.
- ( x ) Defendant presents evidence and calls witness(es) John Amado Gasca, Sr., defendant's father. Direct examination conducted. Defense counsel calls defendant's mother, Sally R. Gasca. Direct and cross examinations conducted. No further evidence or testimony is presented.
- ( x ) Arguments presented.
- ( x ) Defendant makes a proffer.
- ( x ) Court takes judicial notice of the statutory presumption against release.
  
- ( x ) The Court made a finding that the defendant should be released from detention. Government's motion for pretrial detention is denied.
  - ( x ) Defendant released on a \$20,000.00 unsecured surety bond to be signed by the defendant and his parents.
  - ( x ) Defendant is advised the conditions of his release including that he be placed in 3<sup>rd</sup> party custody of his mother, Sally R. Gasca.

## ARRAIGNMENT

- ( x ) Defendant charged in counts one and two of a two count indictment
- ( x ) Defendant waived reading of the indictment and the penalty section.
- ( x ) Defendant entered a plea of not guilty to each count of the indictment applicable to him.

## ORDERS

- ( ) Defendant ordered committed back to custody of U.S. Marshal
- ( x ) Defendant ordered released on a continuing bail bond.
- ( x ) Case ordered set for trial on the joint criminal jury trial docket which commences January 10, 2011.
  
- ( x ) Defense shall file any pretrial motions within ten days from this date; government responses due seven days after motion filed. In lieu of a scheduling conference, counsel are to meet within two weeks and submit Proposed Stipulations and Orders to chambers for filing. If parties will not be ready for trial by the scheduled docket, a motion for continuance for a date certain should be filed as soon as possible.
  
- ( x ) The Government is reminded that ECF calculates deadlines under civil rules and those deadlines do not apply to this case. Failure to file a response within 7 days of the filing of the motion, regardless of when ECF says a response is due, may result in the motion being granted as unopposed.