

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

In re: Criminal Trial Docket
March 19, 2012

ORDER SETTING PRETRIAL CONFERENCES

I. Schedule of Pretrial Conferences

Pursuant to the direction of the court en banc, the following criminal cases are set for pretrial conferences before United States Magistrate Judge Robert E. Larsen on Wednesday, March 7, 2012, commencing at the times shown below or as soon thereafter as they may be reached. No defendant or counsel will be excused because of failure to reach a criminal case at the time fixed unless excused by me.

Counsel and the defendant are to appear in court at least ten minutes before their case is scheduled to be heard. The attorneys, including defense and government counsel, who will try the case shall attend the pretrial conference. Each defendant is to be present.

All pretrial conferences will be held in Courtroom 6D, United States Courthouse, 400 East Ninth Street, Kansas City, Missouri 64106.

<u>No./Time</u>	<u>Parties</u>	<u>Counsel</u>
11-00138-01-CR-W-DW 9:00 a.m. CUSTODY	United States of America v. Luis Enrique Gallegos <i>Spanish-speaking interpreter required</i>	Charles Ambrose Paul Franco
11-00157-01/04-CR-W-SOW 9:15 a.m. CUSTODY CUSTODY	United States of America v. Peter J. Lombardo Danny Sanchez Tony P. Castro Carl E. Edmunds	Charles Ambrose Susan Hunt Alex McCauley John Osgood Mark Thomasson

<u>No./Time</u>	<u>Parties</u>	<u>Counsel</u>
12-00018-01/05-CR-W-DGK 9:30 a.m. CUSTODY CUSTODY CUSTODY CUSTODY	United States of America v. Tommy Haubrich Brandy Lile Robyn Michael Christopher Elenback Dustin Ronald Hartman	Bruce Rhoades Al White Bill Raymond Ron Hall Cynthia Dodge Alex McCauley
11-00118-01-CR-W-DGK 9:45 a.m. CUSTODY	United States of America v. George B. Harris	Christina Tabor Bill Raymond
11-00207-01/05-CR-W-ODS 10:00 a.m. CUSTODY CUSTODY CUSTODY CUSTODY CUSTODY	United States of America v. Fernando Gomez-Correa <i>Spanish-speaking interpreter required</i> Jorge Alvarez-Torres <i>Spanish-speaking interpreter required</i> Ricardo Correa-Gomez <i>Spanish-speaking interpreter required</i> Juan Jose Martinez Quevedo <i>Spanish-speaking interpreter required</i> Alvaro Torres <i>Spanish-speaking interpreter required</i>	Catherine Connelly Bill Raymond Chris Angles Nick Seacord Ron Partee John Humphrey
11-00231-01-03/04-CR-W-NKL 10:15 a.m. CUSTODY	United States of America v. Marcus Nigel Henry Raphique Marcellus Wilson Quinnel Derrick Graves	Bruce Rhoades Ron Partee Ross Nigro Anthony Bologna

<u>No./Time</u>	<u>Parties</u>	<u>Counsel</u>
10-00320-01/04-06/19-CR-W-DGK 10:30 a.m. CUSTODY CUSTODY	United States of America v. Juan Antonio Marron David Hernandez-Montoya <i>Spanish-speaking interpreter required</i>	Bruce Rhoades Susan Hunt Kent Hall
CUSTODY CUSTODY CUSTODY CUSTODY	Mario Marron Peter Adam Flores Anthony Francis Alvarez Benito Castillo Gutierrez John Gasca, Jr. Jason Richardson Marco Antonio Mursia <i>Spanish-speaking interpreter required</i>	P.J. O'Connor Charles McKeon Ron Partee David Johnson John Osgood John Gromowsky Angela Hasty
CUSTODY CUSTODY	Armando Mendez Deshaun Latkeek Ceruti Maria Marron <i>Spanish-speaking interpreter required</i>	Lance Sandage Kelly Connor-Wilson Adam Crane
CUSTODY CUSTODY	Rafael Zamora Joseph Michael Lopez Frank Michael Alvarez Gilbert Lupercio Margot Charlene Davidson Muhammad Ibrahim Rollie	Gene Harrison Dion Greene Dana Altieri Anthony Sicola Ron Hall Kurt Marquart
12-00017-01-CR-W-GAF 11:00 a.m. CUSTODY	United States of America v. Hector Puga Torrez-Correas <i>Spanish-speaking interpreter required</i>	Brian Casey Larry Pace
09-00290-01-CR-W-DGK 11:15 a.m. CUSTODY	United States of America v. Brian K. Rucker	Catherine Connelly Travis Poindexter
12-00013-01-CR-W-FJG 1:30 p.m. CUSTODY	United States of America v. Nickalass King	Bill Meiners Larry Pace

<u>No./Time</u>	<u>Parties</u>	<u>Counsel</u>
11-00276-01-CR-W-GAF 1:45 p.m. CUSTODY	United States of America v. Simon L. Wertenberger	Mike Green Bob Kuchar
11-00258-01-CR-W-HFS 2:00 p.m.	United States of America v. Richard A. Reyes	Jalilah Otto Christine Blegen
11-00173-01-CR-W-DW 2:15 p.m. CUSTODY	United States of America v. Tyron Jones	Justin Davids Bob Martin
10-00328-01-CR-W-DW 2:30 p.m.	United States of America v. Michael G. Larson	Teresa Moore Adam Fein Scott Rosenblum
10-00224-01-CR-W-DW 2:45 p.m. CUSTODY	United States of America v. Charles M. Chivers	Bruce Clark Steve Willibey
12-00029-01-CR-W-GAF 3:00 p.m. CUSTODY	United States of America v. William M. Tinsley	Bruce Clark Steve Moss
12-00037-01-CR-W-ODS 3:15 p.m. CUSTODY	United States of America v. Edward A. Everett	Sara Holzschuh Steve Moss
12-00048-01-CR-W-HFS 3:30 p.m. CUSTODY	United States of America v. Jaquay R. Strickland	David Barnes Steve Moss

<u>No./Time</u>	<u>Parties</u>	<u>Counsel</u>
11-00222-01-CR-W-HFS 3:45 p.m. CUSTODY	United States of America v. Timmothy M. Jones	David Barnes Laine Cardarella
12-00016-01-CR-W-DW 4:00 p.m. CUSTODY	United States of America v. George E. Taylor	David Barnes Laine Cardarella
11-00185-01-CR-W-DGK 4: 15 p.m. CUSTODY	United States of America v. Marlin D. Walls	Sydney Sanders Laine Cardarella

II. Pretrial Conference

Counsel are instructed to be prepared to discuss the following issues at the pretrial conference:

1. Facts or circumstances requiring a larger jury panel (more than 43),
2. Pending motions,
3. Estimated trial time,
4. Discovery problems,
5. Possible stipulations (counsel should have proposed stipulations available for review and signature by the parties at the conference);
6. Exhibits to be offered at trial (exhibit lists should be brought to the pretrial conference),¹

¹PLEASE NOTE THE REQUIREMENT THAT ALL EXHIBITS MUST BE NUMBERED WITH ARABIC NUMBERS AND NO SUB-PARTS, THAT IS, EXHIBITS MUST BE NUMBERED 1, 2, 3, 4, ETC. NO EXHIBITS NUMBERED 1A, 1B, 2A, 2B, ETC., WILL BE PERMITTED.

7. Witnesses to be called at trial (witness lists, with the witnesses listed in alphabetical order by last name and then by first name, should be brought to the pretrial conference), and

8. Change of plea or dismissal of charge.

Each of these criminal cases, unless given a special setting, is set for trial on a criminal trial docket with all available district judges sitting beginning March 19, 2012.

III. Witness Lists, Exhibit Lists, Proposed Voir Dire and Jury Instructions

It is

ORDERED that by the day of the pretrial conference, the parties shall file with the Clerk of Court witness lists, with the witnesses listed in alphabetical order by last name and then by first name, and exhibit lists. In addition, a copy of each must be brought to the pretrial conference. It is further

ORDERED that by Wednesday, March 14, 2012, counsel shall file with the Clerk of the Court:

1. Memoranda or briefs on anticipated evidentiary questions,
2. Memoranda or briefs on legal questions on which the parties request pretrial rulings,
3. Proposed voir dire questions, and
4. Two copies of jury instructions (one copy reflecting the source of the instruction and a second clean copy).

PLEASE NOTE: Counsel in all cases assigned to be tried before Chief Judge Fernando Gaitan, Jr., as reflected in the forthcoming trial letter, shall meet and prepare a packet of agreed proposed jury instructions to be submitted to Judge Gaitan and e-mailed to

marylynn_shawver@mow.uscourts.gov and rhonda_enss@mow.uscourts.gov by March 16, 2012. To the extent there are disagreements to certain instructions, each attorney shall tab and submit his or her preference on those instructions. The instructions shall be listed in the order they are to be given.

It is further

ORDERED that all trial exhibits shall be premarked and listed on the Clerk of the Court Exhibit List form.

IV. Continuances and Pleas

Regarding motions for continuances and possible changes of plea, it is

ORDERED that a defendant who intends to file a motion to continue the trial of his or her case until the next docket, which is April 23, 2012, shall file such motion on or before February 29, 2012. **Any motion filed must include a statement indicating the position of every other party in the case, i.e., whether that party objects to a continuance, does not object to a continuance, or joins in the motion for the continuance.**² In addition, every motion must include specific reasons why a continuance is necessary. The motion shall state specifically what discovery and investigation has been completed, specifically what discovery and investigation remains to be completed, and a specific explanation as to why the continuance is being sought.

It is further

ORDERED that counsel for a defendant who intends to change his or her plea from “not

²A statement in the motion indicating that co-counsel have been contacted is not sufficient. If co-counsel has not responded, the movant shall include a statement in the motion of the specific attempts made to contact that attorney. Failure to comply with this requirement will result in the motion being returned to the movant’s attorney with a request to file an amended motion with the requested information.

guilty” to “guilty” or “nolo contendere” shall immediately call the Courtroom Deputy of the assigned District Judge at the telephone number listed below so that a change of plea hearing can be set before the District Judge. Counsel shall then immediately notify my courtroom deputy at 816-512-5774 of the date for the scheduled change of plea. The defendant will not be removed from the pretrial conference docket unless my office is notified by counsel of the change of plea hearing.

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

Kansas City, Missouri
February 24, 2012

Courtroom Deputy Information:

<u>Division</u>	<u>District Judge</u>	<u>Courtroom Deputy</u>	<u>Phone #</u>
FJG	Fernando Gaitan, Jr.	Rhonda Enss	816-512-5644
ODS	Ortrie Smith	Eva Will-Fees	816-512-5659
GAF	Gary Fenner	Tracy Diefenbach	816-512-5674
NKL	Nanette Laughrey	Renea Kanies	816-512-5689
DGK	D. Gregory Kays	Alex Francis	816-512-5629
DW	Dean Whipple	Tracy Diefenbach	816-512-5674
HFS	Howard Sachs	Tina Duer	816-512-5614
SOW	Scott Wright	Kelly McIlvain	816-512-5744