

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

In re: Criminal Trial Docket  
December 7, 2009

**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, November 18, 2009, 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>
09-00215-01-CR-W-FJG 9:00 a.m. <b>CUSTODY</b>	United States of America v. Juventino Lujan-Salgado <b><i>Spanish-speaking interpreter required</i></b>	Patrick Daly  James LaSalle
09-00306-01-CR-W-HFS 9:15 a.m. <b>CUSTODY</b>	United States of America v. Bruce Dewayne Jensen	Dave Ketchmark  Martin Warhurst

<u>No./Time</u>	<u>Parties</u>	<u>Counsel</u>
08-00271-01-CR-W-DW 9:30 a.m.	United States of America v. Maurice Ragland	John Cowles  Kelly Connor-Wilson
08-00319-01-CR-W-FJG 9:45 a.m.	United States of America v. John Woody	John Cowles  Kurt Marquart
09-00326-01-CR-W-SOW 10:00 a.m.	United States of America v. Wayne W. Williamson	Amy Marcus  Willie Epps
09-00072-01-CR-W-NKL 10:15 a.m. <b>CUSTODY</b>	United States of America v. Robert D. Barnes	Brent Venneman  William Raymond
08-00121-01-CR-W-GAF 10:30 a.m. <b>CUSTODY</b>	United States of America v. James M. Fleming	Brian Casey  William Raymond
09-00167-01-CR-W-NKL 10:45 a.m. <b>CUSTODY</b>	United States of America v. Albert V. Perkins	David Barnes  William Raymond
09-00320-01/02-CR-W-HFS 11:00 a.m.	United States of America v. Christopher Sims  Denise Sims	David Barnes  P.J. O'Connor John O'Connor P.J O'Connor John O'Connor
09-00158-01/02-CR-W-HFS 11:15 a.m. <b>CUSTODY</b>	United States of America v. Craig Anthony Henry William Michael Tunley	Bruce Rhoades  Brian Gaddy P.J. O'Connor

<u>No./Time</u>	<u>Parties</u>	<u>Counsel</u>
08-00321-01/03-05-CR-W-GAF 11:30 a.m. <b>CUSTODY</b> <b>CUSTODY</b> <b>CUSTODY</b> <b>CUSTODY</b>	United States of America v. Darl Douglas Denson Shellie A. Chavis Deondre Cordell Higgins Stacie Marie Emmerich	Bruce Rhoades  Ron Hall John Gromowsky Alex McCauley William Raymond

*Should be set on the second week of the trial docket*

08-00081-03/04-CR-W-HFS 11:45 a.m. <b>CUSTODY</b>	United States of America v. Ciara T. Cunningham Corey D. Cunningham	Bruce Rhoades  Michael Walker William Raymond
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09-00195-01-CR-W-DGK 1:30 p.m. <b>CUSTODY</b>	United States of America v. Quentin R. Grays	Stefan Hughes  Larry Pace
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09-00286-01/02-CR-W-HFS 1:45 p.m. <b>CUSTODY</b> <b>CUSTODY</b>	United States of America v. Scott A. Dombroski Krista Robbins	Mike Warner  Steve Moss Ron Partee
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09-00274-01-CR-W-GAF 2:00 p.m. <b>CUSTODY</b>	United States of America v. Roy A. Love-Judie, Jr.	Mike Warner  Steve Moss
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09-00239-01/02-CR-W-FJG 2:15 p.m.	United States of America v. Amanda J. Drake James B. Drake	William Meiners  Robert Kuchar David Johnson
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09-00291-01-CR-W-DGK 2:30 p.m. <b>CUSTODY</b>	United States of America v. Larry R. Shaw	Christina Tabor  Robert Kuchar
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<u>No./Time</u>	<u>Parties</u>	<u>Counsel</u>
09-00284-01-CR-W-GAF 2:45 p.m. <b>CUSTODY</b>	United States of America v. Sebastian D. Brewer	Christina Tabor  Laine Cardarella
09-00332-01-CR-W-HFS 3:00 p.m. <b>CUSTODY</b>	United States of America v. John H. Lauth	Bruce Clark  Laine Cardarella
09-00086-01-CR-W-DGK 3:15 p.m. <b>CUSTODY</b>	United States of America v. Sandra L. Brandes	Dan Nelson Linda Marshall  Anita Burns
09-00112-01-CR-W-ODS 3:30 p.m. <b>CUSTODY</b>	United States of America v. Clifton Taylor	Leena Ramana Dan Nelson  Travis Poindexter
09-00296-01/06-CR-W-FJG 3:45 p.m. <b>CUSTODY</b> <b>CUSTODY</b> <b>CUSTODY</b>	United States of America v. John Angell Eric Burkitt Robert Stewart James Cox  Steve Larson Nicholas Donkersloot	Dan Nelson Jeff Valenti  James Brown Al White Ron Partee Georgia Mathers William Nacy Curtis Hanrahan Alberto Miera Charles Rogers

*The parties have requested the second week of the trial docket.*

## **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),<sup>1</sup>
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 December 7, 2009.

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

It is

ORDERED that by Wednesday, November 18, 2009, 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

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**<sup>1</sup>PLEASE NOTE A NEW 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.**

ORDERED that by Wednesday, December 2, 2009, 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 trial letter which is prepared by Judge James England, 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 December 4, 2009. 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 January 11, 2010, shall file such motion on or before November 16, 2009. 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. 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 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 chambers 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  
November 10, 2009

Courtroom Deputy Information:

<u>Division</u>	<u>District Judge</u>	<u>Courtroom Deputy</u>	<u>Phone #</u>
DW	Dean Whipple	Tracy Diefenbach	816-512-5674
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
HFS	Howard Sachs	Tina Duer	816-512-5614
SOW	Scott Wright	Kelly McIlvain	816-512-5744