

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

UNITED STATES OF AMERICA,

Plaintiff,

vs.

DELMON L. JOHNSON,

Defendant.

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CRIMINAL NO. 08-00026-01-CR-W-FIG

**DEFENDANT DELMON JOHNSON'S MOTION FOR
EARLY PRODUCTION OF WITNESS STATEMENTS**

TO THE HONORABLE JUDGE OF SAID COURT:

COMES NOW, DELMON L. JOHNSON, Defendant in the above-entitled and numbered cause, and respectfully moves this Court for an order directing the government to provide the Defendant a copy of any statement made by any material witnesses in this case in its possession and that relates to the subject matter of any material witnesses in this case's testimony by a date certain before any material witnesses in this case is called to testify at trial. In support of this Motion, Delmon Johnson would show the Court as follows:

1. Pursuant to Rule 26.2(a) of the Federal Rule of Criminal Procedure the Defendant may move the Court, after a witness has testified on direct examination, to require production of any statement of the witness that is in the government's possession and relates to the subject matter of the witness's testimony.

2. Counsel for the Defendant anticipates that any material witnesses in this case's testimony will be lengthy and complex and central to the government's case. Accordingly, it will likewise be essential for preparation of the Defendant's case.

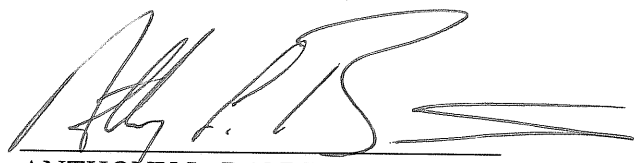
3. For these reasons, counsel for the Defendant will need and will request a recess after any material witnesses in this case has testified if delivery of any statement is delayed until after any material witnesses in this case testifies. Counsel will need a reasonable time to examine any statement and to prepare for its use in trial for cross-examination, impeachment, and other purposes. Such recess will slow the trial and will be prejudicial to the Defendant.

WHEREFORE, DELMON L. JOHNSON requests that this Honorable Court order the United States Attorney to provide Mr. Johnson with the information requested herein by a date certain before trial. Delmon Johnson prays for such other and further relief to which he is justly entitled.

Respectfully submitted,

BANNWART & ASSOCIATES, P.C.

By:



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ATTORNEYS FOR DEFENDANT
DELMON L. JOHNSON

CERTIFICATE OF SERVICE

This is to certify that a true and correct copy of the above and foregoing Defendant Delmon Johnson's Motion for Early Production of Witness Statements has this day been caused to be served on Assistant United States Attorney Rudy Rhodes for the Western District of Missouri, and other ECF listed counsel through use of the Electronic Court Document Filing System.

SIGNED this 16th day of June, 2008.

BANNWART & ASSOCIATES, P.C.

By: 
ANTHONY L. BANNWART

ATTORNEYS FOR DEFENDANT
DELMON L. JOHNSON