

IN THE UNITED STATES DISTRICT COURT FOR
THE MIDDLE DISTRICT OF ALABAMA
EASTERN DIVISION

UNITED STATES OF AMERICA)
)
v.) CASE NO. 3:19cr302-ALB
)
JAMES F. WELBURN)

PRETRIAL CONFERENCE ORDER

A pretrial conference was held on September 10, 2019, before the undersigned Magistrate Judge. Present at this conference were Richard Keith, counsel for the defendant, and Assistant United States Attorney Jonathan Ross, counsel for the government. As a result of the conference, it is hereby ORDERED as follows:

1. Jury selection is set for December 2, 2019. The trial of this case is set during the trial term commencing on December 2, 2019, at 10:00 a.m., in Opelika, Alabama, before **United States District Judge Andrew L. Brasher** and is expected to last three days.

2. There is a Motion for Extension of Time to File Change of Plea (Doc. 17) currently pending and the time set by the court for filing motions has passed.

3. Proposed *voir dire* questions shall be filed on or before **two weeks before jury selection.** Counsel should not include questions seeking information which is provided in the jury questionnaire.

4. All motions *in limine* shall be filed on or before **two weeks before jury selection**. Motions *in limine* must be accompanied by a brief. Failure to file a brief will result in denial of the motion. Responses to motions shall be filed on or before **one week before jury selection**.

5. Proposed jury instructions shall be filed on or before **one week before jury selection.**

6. Each party shall have available at the time of trial, for use by the court and opposing counsel, **four copies of the exhibit list and four copies of each photostatically reproducible exhibit listed.**

7. The court will not consider a plea pursuant to Rule 11(c)(1)(A) or (C) unless notice is filed on or before noon on November 20, 2019. The government and defendant

are informed that if a defendant waits until the last minute to enter a plea, and if that plea, for whatever reason, is not accepted by the court, the defendant and the government will be expected to be prepared to go to trial on December 2, 2019. The court will not continue the trial of this case as to any defendant because a defendant's plea was not accepted. In other words, the defendant and the government should not wait until the last minute for a defendant to enter a guilty plea, and both the defendant and the government should all be ready to go to trial on December 2, 2019, as to all defendants, even though a particular guilty plea was not accepted by the court.

DONE this 11th day of September, 2019.

/s/ Stephen M. Doyle
STEPHEN M. DOYLE
UNITED STATES MAGISTRATE JUDGE