

UNITED STATES DISTRICT COURT
DISTRICT OF SOUTH DAKOTA
WESTERN DIVISION

FILED

AUG 28 2008



UNITED STATES OF AMERICA,	*	CR 08-50079
	*	
Plaintiff,	*	
	*	
vs.	*	ORDER FIXING DATES
	*	
VINE RICHARD MARSHALL,	*	
a/k/a Richard Vine Marshall,	*	
a/k/a Dick Marshall,	*	
	*	
Defendant.	*	
	*	

An initial appearance and arraignment on an Indictment was held on August 26, 2008, with the Plaintiff appearing by Robert A. Mandel, Assistant United States Attorney, and the Defendant Vine Richard Marshall, a/k/a Richard Vine Marshall, a/k/a Dick Marshall, appearing in person and with his attorney, Robin L. Zephier; and

It appearing necessary that the court fix motion and trial dates in order to comply with the Speedy Trial Act, 18 U.S.C. § 3161,

IT IS ORDERED:

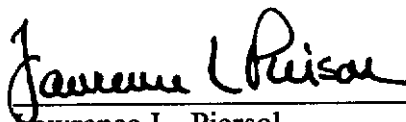
1. That the following general discovery rules shall apply to this case:
 - A. Upon request of the Defendant, the Plaintiff shall forthwith comply with Rule 16(a)(1)(A), (B), (C) and (D).
 - B. If the Defendant requests disclosure under Rule 16(a), such Defendant shall, upon request of the Plaintiff, forthwith comply with Rule 16(b).
 - C. The Plaintiff shall forthwith disclose to the Defendant any exculpatory material discoverable under Brady v. Maryland, 373 U.S. 83, 83 S.Ct. 1194, 10 L.Ed.2d 215 (1963).
 - D. Any written statements of Plaintiff's witnesses discoverable

under the Jencks Act, 18 U.S.C. § 3500, shall be furnished to the Defendant on the Friday preceding trial.

2. That all discovery motions as to Defendant herein be filed and served on or before August 29, 2008; that opposing counsel respond thereto on or before September 3, 2008.
3. That all other motions as to Defendant herein be filed and served on or before September 9, 2008; that opposing counsel respond thereto on or before September 16, 2008; and that a hearing, if necessary, will be held on Tuesday, September 23, 2008, at 1:30 P.M., in Rapid City, South Dakota, before Magistrate Judge Veronica Duffy; and the Court will not consider a stock motion for leave to file further motions, however, the Court will consider a motion filed by a party after the deadline if the party can show good cause as to why the motion was late filed.
4. That September 25, 2008, is hereby set as the deadline for submission to the Court of any proposed plea agreements.
5. That all motions in limine shall be in writing and filed, together with proposed instructions, with the Court ten (10) working days before trial.
6. That the jury trial herein shall commence in Rapid City, South Dakota, on Tuesday, October 28, 2008, with counsel to be present for motions in limine at 9:00 A.M., and with the jury to report at 9:30 A.M.
7. That the dates herein may be modified upon good cause shown.

Dated this 28th day of August, 2008.

BY THE COURT:



Lawrence L. Piersol
United States District Judge

ATTEST:
JOSEPH HAAS, CLERK

BY: 

DEPUTY