

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO**

Criminal Case No. **

UNITED STATES OF AMERICA,

** Plaintiff,

v.

** Defendant.

ORDER SETTING TRIAL AND MOTIONS HEARING

Order Entered by Magistrate Judge **

It is hereby **ORDERED** that this matter is set for a ** day Trial to ****(a jury of twelve) (the Court)** beginning on ** before Magistrate Judge **, in Courtroom **, ** Floor, ****(Alfred A. Arraj United States Courthouse, 901 19th Street)(Byron R. Rogers United States Courthouse, 1929 Stout Street), Denver, CO 80294**. The Provisions of the Local Rules of this Court and of Fed.R.Crim.P. 16 shall be followed by the prosecution and the defense.

It is further **ORDERED** that any pretrial motions are to be filed with the Clerk of the Court and copied in an email with a Word or Word Perfect attachment, to the chambers of the undersigned magistrate judge at * Chambers@cod.uscourts.gov on or before** .¹ Responses are to be filed with the Clerk of the Court and copied in an email with a Word or Word Perfect attachment to the chambers of the undersigned magistrate judge on or before ** .

It is further **ORDERED** that a Motions Hearing is set before Magistrate Judge **, in Courtroom **, ** Floor, ****(Alfred A. Arraj United States Courthouse, 901 19th Street)(Byron R. Rogers United States Courthouse, 1929 Stout Street), Denver, CO 80294** on ** at ** _ .m.

It is further **ORDERED** that 30 days before trial, the parties shall notify the magistrate judge's courtroom deputy, ** who may be reached at ** of any

¹ See the Court's Electronic Case Filing Procedures (Criminal Cases)(Version 2.0), §§V. H and V.L. which may be found on the Court's website.

need for special accommodation for any attorney, party, or witness; or any need for technological equipment, such as videoconferencing, or equipment needed for the presentation of evidence using CDROM or other electronic means of evidence presentation.

It is further **ORDERED** that ** business days before the trial,

1. the parties shall file their trial briefs, not to exceed ten pages, with the Clerk of the Court **AND** shall provide a copy to the magistrate judge's chambers by email in a Word or Word Perfect attachment; and

2. the parties shall file with the Clerk of the Court their proposed jury instructions **AND** shall provide the Court their proposed jury instructions in a hard paper copy **AND** shall provide an editable copy of the instructions to the magistrate judge's chambers by email in a Word or Word Perfect attachment.

3. For **trials to the court**, counsel shall electronically file with the Court **AND** provide a copy to the magistrate judge emailed as an attachment in Word or WordPerfect format proposed findings of fact and conclusions of law.

It is further **ORDERED** that each party shall file with the Clerk of the Court and provide the magistrate judge with an original and two copies of the following materials at the beginning of the ****(court)(jury)** trial:

1. Witness list in alphabetical order;
2. Exhibit list (see attached format)
 - a. Trial exhibits shall be pre-marked. The government shall use numbers and the defense shall use letters;
 - b. The parties are to meet and exchange their pre-marked exhibits before the beginning of the trial.
 - c. The parties are to pre-determine the designation of any exhibit which is endorsed by more than one party in order to avoid duplication of exhibits;
 - d. Each party's original trial exhibits shall be used by the witnesses and two copies of the exhibits shall be provided to the magistrate judge;
 - e. Trial exhibits shall be tabbed and placed into notebooks including the Court's copies of the exhibits, unless an exhibit is incapable of being placed into a notebook; and,

- f. Any exhibit which consists of multiple pages shall have each page of the exhibit sequentially numbered for ease of reference by the witness and for clarity of the record.
3. A list of any objections any party has to the opponent's exhibits. These objections shall state in a clear and concise fashion the evidentiary grounds for the objection and the legal authority supporting such objection. If the authority is in the Federal Rules of Evidence, the rule number is to be cited; if the authority is case law the Court is to be provided with a copy of the case.
4. A list of witnesses' scheduling problems, indicating times of such witnesses' availability during the trial.
5. A list of stipulated exhibits.
6. A list of stipulated facts.
7. A list of any facts of which a party is asking the Court to take judicial notice.
8. A list of any unique terms intended to be used during the trial, in alphabetical order (examples: medical, commercial, and scientific terms).

Is further **ORDERED** that a Notice of Disposition shall be filed with the Clerk of the Court no later than 14 days before the date set for the trial **AND** a copy shall be provided to the magistrate judge's chambers by email in a Word or Word Perfect attachment.

Dated this ** _____ day of ** _____ 200** .

BY THE COURT

** _____
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United States Magistrate Judge